STUDIES ON THE TEXTS OF THE DESERT OF JUDAH [100]

Challenges to Conventional Opinions on Qumran and Enoch Issues

PAUL HEGER

BRILL

Challenges to Conventional Opinions on Qumran and Enoch Issues

Studies on the Texts of the Desert of Judah

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VOLUME 100

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By
Paul Heger

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LEIDEN • BOSTON
2012

This book is printed on acid-free paper.

Library of Congress Cataloging-in-Publication Data

Heger, Paul, 1924-
Challenges to conventional opinions on Qumran and Enoch issues / by Paul Heger.
p. cm. – (Studies on the texts of the Desert of Judah, ISSN 0169-9962 ; v. 100)
Includes bibliographical references (p.) and index.
ISBN 978-90-04-21722-5 (hardcover : alk. paper)
1. Bible. O.T.–Hermeneutics–Comparative studies. 2. Dead Sea scrolls. 3. Rabbinical literature–Study and criticism. 4. Ethiopic book of Enoch. 5. Dualism (Religion)–Judaism. 6. Judaism–History–Post-exilic period, 586 B.C.-210 A.D. I. Title.

BS476.H395 2012
296.1'55–dc23

2011037676

ISSN 0169-9962
ISBN 978 90 04 21722 5 (hardback)
ISBN 978 90 04 21882 6 (e-book)

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As a token of gratitude and appreciation to my worldwide teachers of multifarious topics, disciplines, and ideologies in varied circumstances during the different cycles of my life

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PREFACE AND ACKNOWLEDGEMENTS

I am writing this book after a prolific life in many countries and a variety of activities, in which I always kept my eyes wide open and attempted to observe, comprehend, and compare human thinking and actions of different cultures and in various circumstances. I have tried to understand the common and particular human reactions to events and occurrences. With this life experience, I arrived at an advanced age in the academy, and I am happy to have chosen this stimulating activity for this stage of my life. My accumulated experience has taught me that human thoughts and reactions diverge according to an array of historical and contemporaneous events, traditions, and circumstances, and must therefore be critically scrutinized before accepting or rebutting them; everything should be questioned.

As I have noted above, the spirit and the consequences of my study grew out of such diverse experiences. Nonetheless, I gratefully acknowledge the most valuable guidance and comments received from the outstanding scholars who read the text. First and foremost, I would like to mention Professor Florentino García Martínez, the chief editor of this series, whose input as I began the study, as well as in its final stages, was significant. I also hasten to thank Professor Harry Fox of the Department of Near and Middle Eastern Civilizations, University of Toronto, my mentor and teacher, who facilitated my transition from previous stages of my life into a life of study. He graciously guided my first steps into academic research. Professor Fox and Professor Herb Basser of the Department of Religious Studies, Queen's University, Kingston, Ontario, read significant parts of my book and made valuable and constructive comments and suggestions.

I also wish to thank Ms S. Olidort and Ms Sylvia Hunter for their contributions to the editing of the book and the preparation of its final version for publication.

Last, not least, many thanks to all my friends with whom I discussed the general ideas of my book.

Paul Heger
Tel Aviv, Erev Shavuot, 5771 / 7 June 2011

CHAPTER ONE

INTRODUCTION

The topic of rules of interpretation, and the extent of its boundaries in general and with respect to ancient writings in particular, is now of great importance in the study of literature and history. Research on religious thought in ancient periods and studies of classical and modern literature, including their legal, philosophical, and psychoanalytical aspects, are intrinsically linked to issues of hermeneutics and truth. Scholars attempt to reveal, based on the writings found at Qumran, the social structure, way of life, and essential ideologies of the Essene Community, assumed to be the readers and, in some cases, the authors of this literature. This task involves a meticulous critical interpretation of these writings, since its outcome transgresses the boundaries of life in the Qumran Community; and it decisively influences our perceptions of circumstances in Judea and of the development of ideologies and their practical applications among the Jewish people during the crucial period of the Late Second Commonwealth. The ramifications of spiritual life in that corner of the world in this period had, and still have, a significant impact on the culture and history of the Western world in their broadest aspect. However, as is now an *opinio communis*, every reader interprets a given text differently. As a result, scholars have arrived at various and sometimes contradictory conclusions on the above topics, as is true in other fields of research. Because of the wide range of issues dealt with in Qumran literature, this study analyzes critically a few scholarly conclusions on topics which seem to me of the utmost significance for our understanding of Qumran ideologies, the foundation of the community's way of life, as they emerge from the community's literature.

The study challenges common scholarly interpretations of *1 Enoch* and the Dead Sea Scrolls with respect to two distinct but interrelated general problems. The first concerns the imposition of modern concepts and ways of thought on ancient texts. J. Campbell admonishes against this: "a holistic reading must guard against imposing literary expectations from a later period onto the products of an earlier one."[1] The second problem

[1] Jonathan Campbell, *The Use of Scripture in the Damascus Document 1–8, 19–20* (Berlin: de Gruyter, 1995), 44–45.

concerns interpretations of texts influenced by the interpreter's personal cultural background. As J.J. Collins points out, "Modern theorists have repeatedly emphasized that interpretation is never a neutral matter, that it always depends on the presuppositions we bring to the text. This is true of modern critical interpretation as it is of interpretation in the Dead Sea Scrolls."[2] At times, however, scholars have ignored this truth, continuing to interpret ancient writings through the lens of their own modern views or cultural backgrounds. It is indeed a legitimate and broad-minded approach to interpret ancient writings according to our current viewpoints, in accordance with the modern reader-response interpretative approach, but it is not appropriate to pretend that our interpretation corresponds to the intent of the authors and of their audience/readers; this is not a balanced or objective interpretation.[3] D. Neufeld writes, "while Christianity took certain aspects of Jewish Messianism as a point of departure, it nonetheless advanced messianic notions that have no precedent in Judaism"; the same circumstance is valid generally.[4] M. Grossman, deliberating on the potential multiple meanings of texts depending on the social circumstances in which they are read, asserts that "even readings that may not make sense as 'original' meanings for a text (such as the various Christian interpretations of the scrolls, to return to that example) can be examined as potential readings, in the context of many potential readings, by hypothetical audiences in situations other than the original setting of the text."[5] Collins, in his critical analysis of M. Wise's and A. Dupont-Sommer's assertions about a Savior before Jesus in 1QpHab: XI:1–8, quotes M. Wilson's suggestion "that the scholars working on the scrolls were 'somewhat inhibited in dealing with such questions as these by their various religious commitments.'"[6] Evaluating the allegation of a connection between the

[2] John J. Collins, "Interpretation of Creation of Humanity in the Dead Sea Scrolls," in *Biblical Interpretation at Qumran* (ed. Matthias Henze; Grand Rapids, MI: Eerdmans, 2005), 29–43 at 42–43.

[3] Erasmus, *Opus Epistolarum Desiderius Erasmus Roterodami* [Correspondence of Erasmus] (ed. Percy Stafford Allen; Oxford: Clarendon, 1906), 2:104, applauds the equitable interpreter and criticizes the prejudiced.

[4] Dietmar Neufeld, "And When That One Comes: Aspects of Johanine Messianism," in *Eschatology, Messianism, and the Dead Sea Scrolls* (ed. Craig A. Evans and Peter W. Flint; Grand Rapids, MI: Eerdmans, 1997), 120–140 at 121.

[5] Maxine L. Grossman, *Reading for History in the Damascus Document: A Methodological Study* (STDJ 45; Leiden: Brill, 2009), 40.

[6] John J. Collins, "A Messiah before Jesus?" in *Christian Beginnings and the Dead Sea Scrolls* (ed. John J. Collins and Craig A. Evans; Grand Rapids, MI: Baker Academic, 2006),

Servant Songs in Isa 42:1–4; 49:1–7; 50:4–9, and particularly 52:13–53:12, Collins writes, "We should be wary then of assuming that the modern construct of the servant was also recognized in antiquity."[7]

My study refutes the allegations that significant texts of the Dead Sea Scrolls proclaim a dualistic theology of Persian origin and influence and a predeterministic world order for nations and individuals. Both doctrines, which have become almost dogmas, are blatantly opposed to explicit scriptural texts;[8] the preconceptions of their ancient audience, formed by contextual readings of Scripture that would repudiate such an interpretation, seem to have been ignored in previous studies.[9] With respect to *1 Enoch*, scholars perceive that the purpose of its core, the Watchers' narrative, was to attribute the origin of evil to the acts of the angels who deviated from the divine order, crossing the boundary between the separated domains of heaven and earth. Further, since *1 Enoch* does not mention the Mosaic Torah, scholars have deduced that its readership created an anti-normative doctrine, marginalizing the Torah and instead adopting Enoch's prophecies as their ethical guideline. One scholar has gone a step further, contending that this alleged group, whom he terms "Enochians," denied both the Torah and the Temple, alleging their futility altogether. He then implies an association of Qumran, or some of its members with this Enochian doctrine; therefore it seemed to me imperative to investigate simultaneously the Qumran writings and *1 Enoch*. Some of these assumptions are founded on modern ideas, remote from the cogitations of ancient Jewish authors and audiences, while others lack any textual substantiation; further, as noted earlier, adequate significance has not been ascribed to ancient audiences' plausible negative reaction to such an interpretation of the text of *1 Enoch*. The study disputes these

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15–35 at 18. See Michael Wise, *The First Messiah: Investigating the Saviour before Jesus* (San Francisco: Harper, 1999), 266; André Dupont-Sommer, *The Essene Writings from Qumran* (trans. G. Vermes; repr. Gloucester, MA: Smith, 1973), 373.

[7] Collins, "A Messiah," 22.

[8] I use the terms "Scripture" and "Bible" in this study, though aware that they are anachronistic, because at that period there was no agreed canon of books considered sacred or of the same revered status. The two terms actually represent those books that were later considered elements of the Bible. In the Qumran period, other writings may likewise have been considered part of the sacred and authoritative books.

[9] Collins, "A Messiah," 21, writes, "If social and communal settings are an important factor in an audience's understanding of a text, so too are the *literary* 'contexts' of reading, by which I mean the textual knowledge and preconceptions that an audience brings to the reading of a given document."

allegations on the basis of both methodological and factual concerns, as well as on the basis of internal contradictions. A separate chapter is dedicated to each topic.

Premises and Methodology

My approach to dispute the allegations outlined above, indicating an ideological split of outstanding proportions in the Jewish society of the period in which the core issues of Jewish belief and doctrine were developed and defined, was stimulated by my conviction that these scholarly conjectures are utterly implausible. Deviations of such significance from the explicit scriptural ideology by a defined Israelite group would have provoked a total detachment from the Jewish people and its ingrained traditions, rather than a division within its bosom. A reading that attributes such contingency to the Qumran group, which was unequivocally Torah-centered[10] and adhered fervently and relentlessly to a simple, literal system of Scriptural interpretation, would be patently impossible.[11] I concluded, therefore, that one must consider a different interpretation of these rare verses in Qumran literature, which served as a guiding beacon to deduce from them theories of crucial theological deviations and to open the door for further ideological alterations in the Jewish creed. My study deliberates, in the first instance, on the distinct rabbinic and Qumranic interpretative systems for the substantiation of Qumran's literal exegetical methods, versus the complex rabbinic system. In contrast to other studies on this topic that compare the similarities of the two interpretive systems, however, I attempt to reveal their dissimilarities; I believe that this method offers a better insight into their philosophical basis. A meticulous analysis of the Qumranic and rabbinic interpretive systems will permit us to delve into the underlying philosophical/theological background that guided their *Weltanschauung* and their

[10] Though Qumran may also have perceived some other writings as sacred and authoritative, including *Jub*. and the *Temple Scroll*, I believe there is no doubt that the Mosaic Torah was of the utmost significance. The many references to it in all the Qumran writings, as compared with the negligible references to other books and their context, confirm above statement. Moreover, none of the scholarly conjectures are expressed clearly and explicitly in the passages cited to support them; rather, they are founded solely on the authors' own interpretations of some texts. On the other hand, the biblical passages I cite in disputing their conjectures are explicit.

[11] Grossman, *Reading*, 39, writes that by applying literary criticism "it is entirely possible to identify some readings as 'impossible' or 'incorrect.'"

literary work. This method will guide us as to how to interpret the Qumran community's writings as closely as possible to their original intent. The study will thus reveal the weaknesses of previous scholarly assumptions on each of the topics discussed, and offers different interpretations of those texts that allegedly indicate dualism and predestination.

The claim that the readers and redactors of *1 Enoch* constituted a group that denied the supremacy of the Torah is based entirely on an *ex silentio* argument, with no tangible positive support. The present study disputes these allegations using different arguments appropriate to their specific problems.

Scholars have deduced most of their assertions about philosophical/theological deviations from normative Israelite beliefs on the part of Qumran and the imaginary "Enochians" by attributing subtle theological principles to the authors of the relevant texts. I dispute these deductions not only on the basis of particular textual and factual arguments but from a general viewpoint. The Jewish intellectuals of this period—still less the masses—were not interested in subtle philosophical and theological principles or concerned with revealing and solving inconsistencies in Scripture; neither were they aware of internal contradictions of this nature in their own writings. Modern ideas and current approaches to literary criticism are extraneous to their mindset, and particularly their approach to Scripture, and must not be a factor in our conjectures about the intent and purpose of ancient writings possibly perceived as authoritative, such as the Qumran literature and those labeled today as Apocryphal books. Scholarly speculations based on such modern critical scrutiny of this literature, which have led to the development of novel theories, are therefore not built on solid ground. Last but not least, the horizon of expectation of ancient readers and their response would have rejected ideologies and doctrines that blatantly went against the texts of the revered and sacred Scriptures.

The object of the present study is to challenge common scholarly opinions on the above topics. Some of these were initiated by renowned scholars and have become unassailable, as we observe from the great array of scholarly theses built upon them. The hesitation of later scholars to question or to contest these opinions, even when they had reservations about some unqualified assertions, stimulated linguistic formulations to reconcile the resulting dilemmas. For example, a diverse collection of qualified dualisms were devised to circumvent the apparent requirement to discard the theory attributing a Persian cosmic dualism to Qumran's theology. A similar adjustment was effected by a noted scholar who,

not considering it appropriate to endorse the blatant allegation of the existence of an "Enochic Judaism" (that is, a defined, separated group of Jews), instead posited "a movement within Judaism that is not centered on the Mosaic Torah" and suggested that "the Enoch literature reflects a distinctive form of Judaism."[12]

As noted above, I believe that we are not neutral in our interpretation of ancient writings; we carry our cultural backgrounds with us constantly, despite our attempt to think and express our thoughts objectively. I do not exclude myself from this category. I believe, however, that since we are considering genuine Jewish writings, a certain inclination toward the Jewish view, ingrained in two millennia of momentous literature on the widest possible range of topics, should be given priority over other divergent tendencies. I have in any case not founded my theories on that "merited" privilege, but have attempted in the chapters that follow, within the bounds of my knowledge and mental capacity, to substantiate the plausibility of my arguments. These arguments are founded on my interpretation of the relevant texts, as opposed to the differing interpretations of my contenders, and I shall therefore begin with an extensive investigation of the topic of interpretation.

Since the scholarly assumptions of dualism and predeterminism in Jewish society at the last period of the Second Temple are founded on interpretations of Qumran writings, it is imperative to begin by investigating Qumran's essential ideologies. These are crucial to establishing whether the assumptions described fall within the boundaries of the Qumran worldview. This can best be deduced—limited by our capacity to penetrate the minds of people who lived more than two millennia ago—by the interpretation of their writings, which are fortunately in our possession; a systematic and profound investigation of the topic is necessary to arrive at a correct result. A proper unbiased interpretation is equally applicable to the conclusions scholars have drawn from the absence of the Mosaic Torah in *1 Enoch* and about the purpose and function of the Watchers' narrative—the core of the book, according to scholars. It is now commonly acknowledged that comparison with rabbinic exegesis is the most propitious method of understanding Qumran's system of interpretation, and this is the theme of the first chapter. This chapter also contains an extensive study of the different interpretive sys-

[12] John J. Collins, "How Distinctive was Enochic Judaism?" in *Meghillot: Studies in the Dead Sea Scrolls* 5–6 (ed. Mosheh Bar-Asher and Emanual Tov; Jerusalem; Mossad Bialik, 2007), 17–34 at 33.

tems used by Qumran and the rabbis and of their underlying philosophical/theological approaches, the foundation of their dissimilar exegetical systems. The rational motives of the different literary styles of Qumran and rabbinic writings, exemplified by relevant passages from both corpora, demonstrate their affiliation with their respective interpretive methods and underlying philosophies. The comparison will thus confirm our general thesis about the roots of the disputes.

Because of the significance of this issue for the most plausible perception of Qumran's philosophy, I dedicate to it a substantial part of the study. This enables a deliberation upon various aspects of the conflicting ideologies and of the consequent contrasting exegesis, as well as a well-grounded substantiation of my thesis. The six core chapters of the book share a common aim: to challenge scholarly deductions from ancient texts that are founded on extraneous considerations and ignore internal Jewish thoughts and ideologies of the period. Some arguments and substantiations may therefore appear in more than one chapter, for which I beg the indulgence of those who may read the chapters consecutively. However, each chapter addresses a particular theme and makes specific arguments. I therefore offer here a short outline of the contents of each chapter.

Chapter 2
Rabbinic and Qumran Interpretation Systems

I believe that the rabbinic "*midrashic*" interpretative system of Scripture's legal commands is irreconcilable with Qumran's exegetical system, utterly distinct in both scope and character. The etymological meaning of the term דרש, the root of מדרש and its derivatives, in rabbinic and Qumran literature will be discussed to substantiate this proposition. I postulate here that both corpora revered the Torah as the guide to a correct life, but that the two reached different results, thanks to their distinct theological approaches and consequently divergent methods of interpretation. In contrast to Fraade, Fishbane, and other scholars who have attempted to reveal exegetical similarities in the two corpora, my study attempts to demonstrate the fundamental distinction between the applied methods of interpretation and their particular theological basis. I deliberate on the contrasts between the rabbinic theological viewpoint—the guide of their exegetical method, which allowed different interpretations—and Qumran's belief in one exclusively correct interpretation. This dispute is

linked to the utterly divergent views on the extent of human authority in the process of interpretation, which the rabbis believed to have an extensive range while Qumran denied it. On the basis of this crucial dispute, I posit that the rabbis applied a pragmatic approach in their halakhic decisions, whereas Qumran perceived these decisions as deceptive misinterpretations. In consequence, the rabbis' interpretation deviated from the simple understanding of the biblical text, at times even going blatantly against it, whereas Qumran adhered to the literal text in their interpretations. I will cite pertinent examples from both corpora to substantiate this thesis.

The study will analyze the legal and narrative literatures separately, since they are distinct in their general character, creative method, and purpose. While legal interpretations and the consequent halakhic decisions, vital to the life of the community, are the subject of disputes between the rabbis and Qumran, narratives created for literary or homiletic purposes created no such repercussions. Nor were there serious doctrinal disputes between the two groups to provoke the severe antagonism and division that, in some periods, dominated the relationship between them.

S. Fraade has written articles about the issues of *midrash* in Qumran and compared them to rabbinic writings. I will cite his views on this topic and will comment on the examples he cites and the conclusions he draws from them, which are founded on a different conception than mine.

My study analyzes texts from both corpora in order to compare the distinct literary structures and styles of their halakhic and narrative writings. These typological differences are explained in conformity with the study's general viewpoints on the essential divergences between the interpretive systems of the two groups, which the study substantiates.

The *pesher* style of literature is discussed at length as to its particular and exclusive style and function with respect to other Qumran writings. The outcome of this examination demonstrates that this peculiar writing has no affinity with the rabbinic *midrash* or with other Qumranic literature. The various labels attached to some atypical Qumran writings are critically debated and a different viewpoint is offered regarding the purpose and function of this type of writing that explains its peculiar literary style. In concluding this chapter, I debate Fraade's examples, presented to corroborate his theses on legal and narrative *midrash* in Qumran and his comparison with rabbinic literatures, and postulate different perceptions of these examples that conform to the principles I have presented on the distinction between the Qumranic and rabbinic interpretive sys-

tems. Finally, I attach two excursuses with my reviews and comments on scholarly publications concerning issues of rabbinic and Qumranic interpretations that are relevant to the topic of this chapter.

Chapter 3
Imposing Modern Thoughts on Ancient Authors and Readers

A critical analysis of the scholarly assumptions of the purpose of Enoch's Watchers narrative has convinced me that these assumptions are founded on later theologies and modern viewpoints. The practice of attributing our contemporary thoughts to ancient authors misrepresents the realities of the period and may lead to incorrect assumptions about the religious beliefs and imaginations of both the authors and the readers of ancient texts. In this chapter I quote scholarly allegations of the Watchers narrative's purpose, and dispute them on both methodological and factual grounds. I contest the presumption that the focus of the Watchers' narrative is the evidence of the source of evil and that their main misdemeanor is their tampering with the divine cosmic order. The quest for the source of evil is associated with the issue of theodicy and God's omniscience, but these are modern ideas: they penetrated into Jewish thought not earlier than the Middle Ages, through the influence of Arab philosophical schools, and did not concern Jewish society at the period of our investigation. The belief of God's absolute goodness and righteousness was unshaken among believers then, as is among modern fundamentalists. Moreover, Jews believed the scriptural assertion that God has created everything, even evil, but concurrently they affirmed that whatever he does is for the benefit of humanity. Further, blaming the Watchers for introducing evil into the world does not relieve God from his responsibility, since, being omnipotent, he could have prevented it had he chosen to do so.

I then demonstrate by means of examples, including Jesus' Parables, the flaws of attributing modern thoughts and ideas to ancient writers. The continual evolution of human perceptions of philosophical and ethical principles precludes this approach. Critical analyses of *1 Enoch* expose its many internal inconsistencies, thus revealing the dangers of relying on this confused text to deduce the subtle ideological theories of its author, and particularly the notion that the Watchers' transmission of evil instructions to humans represents the emergence of evil in the

world. This chapter likewise disputes Suter's allegation that the Watchers' narrative is intended as a polemic against the Jerusalemite priesthood for their mixed marriages with Israelite women. There is no evidence in the text for this conjecture, which, I argue, is founded on an erroneous interpretation of Suter's supporting citations and on flawed comparisons of dissimilar subjects. I postulate that exhortation to repentance is the purpose and function of *1 Enoch* and that the Watchers' narrative is its nucleus, serving the redactor/compiler as authentic evidence that sinners are severely punished in due course.

Chapter 4
1 Enoch: Complement or Alternative to the Mosaic Torah?

The lack of explicit reference to Sinaitic revelation in *1 Enoch* has led scholars to allege the existence of a dissident group pursuing an Enochic Judaism that abandoned the Torah, preferring to it Enoch's revelation. In this chapter I refute this allegation altogether, indicating its various methodological and factual flaws. *Ex silentio* evidence cannot be considered valid testimony to substantiate an allegation of such significance as the rejection of the revered and deep-rooted Torah at the sudden appearance of a previously unknown text. Omission is not evidence of nonexistence; this chapter quotes many "normative" writings that do not mention the Mosaic Torah. A substantial number of factual arguments and citations are presented to rebut the allegation. There is no evidence whatsoever from Jewish and historical writings of the existence of such a theological dissident group or movement. A comparison with data about Qumran in a number of different sources leads to the conclusion that the existence of an Enochic group is highly improbable. Rabbinic literature mentions Enoch as a righteous person; many copies of the book of Enoch were found in the Qumran Library; *Jubilees* and Ben Sira, all Torah-centered elements of Jewish society, quote from it. Moreover, *Jub.* quotes Mosaic halakhot as transmitted by Enoch (see p. 208). Since all would have reacted otherwise had they had any suspicion that heresy was propagated in the book, this demonstrates that they did not perceive it as such; their understanding of the purpose and message of the book is more plausible than that of modern scholars. This chapter offers an explanation for the absence of Moses in the Book of Enoch and rebuts the scholarly allegation that the "Enochians" (a denomination coined by another

scholar) lived according to the Natural Law. Finally, I raise the question of whether it is at all possible to reconstruct the history or the existence of a sect from texts alone, a problem lately discussed by scholars.

Chapter 5
Jubilees and the Mosaic Torah

This chapter rebuts the similar scholarly assertion that both author and readers granted equal or even higher authority to the *Book of Jubilees* than to the Mosaic Torah because of its source in the Heavenly Tablets and prior revelation. A meticulous analysis of the *Book of Jubilees* demonstrates its character and function as interpretive of the Torah's commands and narratives, indicating that the former could not surpass the latter. This chapter suggests the purpose of *Jubilees* and explains Qumran's motives for quoting some of its excerpts.

Chapter 6
Another Look at Dualism in Qumran Writings

The Two Spirits Discourse of 1QS, with its use of *righteous* versus *wicked*, *light* versus *darkness*—concepts with an affinity to Persian dualistic mythology—have induced scholars to allege the existence of a dualistic theology in Qumran. My study disputes this presumption through a variety of arguments. Deductions founded on detection of a consistent philosophical background in Qumran literature are misleading, because the authors of this literature were not concerned with philosophical questions, and their writings do not indicate ideological consistency. Similar terminology does not imply identical theologies. Scripture, revered by Qumran, utterly contests the notion of cosmic dualism: God is the unique creator of everything, good and evil. Hence, one must not impute to Qumran a theology unquestionably in blatant conflict with the deep-rooted doctrine of strict monotheism current in Israel in that period. Moreover, the purpose of the Two Spirits doctrine has no affinity with Persian Dualism: the contrasts between light and darkness, good angels and bad angels, in 1QS must be perceived as opposites, like the existing polarities of the world. This chapter explores the concepts of angels and of the metaphoric symbols of light and darkness in Scripture and demonstrates their incompatibility with Persian Dualism theory. Instead, I point to Jewish traditional sources as the roots of the Two Spirits Discourse,

which I then compare with the identical rabbinic theory (albeit with different terminology). Finally, I propose an interpretation of 1QSIII:19, the core of the scholarly allegation of a Dualist theory in the discourse, that is in line with the character of Jewish writings and against a dualistic theory.

Chapter 7
Against a Theory of Dual Determinism in 1QS and 1QHha

In this chapter I vigorously dispute the claim of a doctrine of individual predestination in the Qumran writings. Scripture is replete with explicit exhortations to repentance and resulting forgiveness—the utter antithesis of predestination—and it is preposterous to attribute to Qumran a doctrine patently conflicting with one of Scripture's essential ideologies. Such an allegation, I argue, is methodologically and factually untenable. This chapter distinguishes between the different types of predestination and determinism and focuses on disputing the alleged dual predestination of individuals in Qumran's theology. I discuss the alleged contradiction between the concepts of divine omniscience and human free will, and reconcile them within the ambit of Jewish belief and scriptural narratives. I rebut the alleged interpretation of Josephus' portrayal of the Essenes, assumed to be the authors of the Qumran writings, as evidence for their doctrine of individual determinism at birth. I equally confront the few Qumranic verses from 1QS and 1QHh^{a} perceived by scholars as implying predeterminism with an overwhelming array of verses that unequivocally express the opposite. Additional citations from Qumran writings demonstrate their adherence to the theory of free will. Finally, I refute the comparison with Christian determinism made by some scholars who allege a similar attitude in Qumran writings.

A Note on Sources

Biblical translations are usually taken from the NIV. In specific instances, my own or the KJV translation is indicated. The translations of the Dead Sea Scrolls are from *The Dead Sea Scrolls Electronic Library* (revised edition, 2006, ed. Emanuel Tov) and the *Study Edition* (ed. Florentino García Martínez and E.J.C. Tigchelaar), except where otherwise indicated. *Tosefta* citations are from the Lieberman edition, where available, and otherwise from the Zuckermandel edition; all other citations from rab-

binic texts are taken from the Bar-Ilan database, which is presumed to have the most accurate manuscript version. The translations of these texts are mine. Citations from the Septuagint are from the Göttingen edition, where available; again, the translations are mine. Citations from Philo and Josephus, and their translations, are from the Loeb Classical Library edition. Translations from French, German, and Italian texts are mine. Transliterations and abbreviations of rabbinic works and names follow those used in the *SBL Handbook of Style for Ancient Near Eastern, Biblical, and Early Christian Studies* (Peabody, Mass., 1999).

A previous, shorter version of Chapter 4 was published as "*1 Enoch*—Complementary or Alternative to Mosaic Torah?" *JSJ* 41,1 (2010): 29–62; a prior version of Chapter 7 was published as "Another Look at Dualism in Qumran Writings" in *Dualism in Qumran* (ed. Géza G. Xeravits; London: A Continuum Imprint, 2010), 39–101.

CHAPTER TWO

RABBINIC AND QUMRAN INTERPRETATION SYSTEMS

I begin by commenting on S. Fraade's articles "Looking for Legal Midrash at Qumran"[1] and "Looking for Narrative Midrash at Qumran,"[2] among other erudite articles on exegesis in rabbinic and Qumran literature. I will attempt to demonstrate distinctions between Qumran and rabbinic literature, both legal and narrative, in terms of their systems of biblical interpretation and in terms of their style. Thus, the term "*midrash*," commonly perceived as referring to the rabbinic genre of *ex-* and *eisegesis*, is not appropriate for Qumran's mode of interpretation. I first deliberate on the meaning of the term מדרש in both corpora and then compare the literary characteristics of Qumran's legal, narrative, and פשר literature with their rabbinic counterparts. The critical scrutiny of examples of the relevant writings of these literary types and of Fraade's articles will demonstrate the fundamental distinctiveness of their exegetical methods and the resulting consequences. I must remark here that this study, like many others that compare Qumran and rabbinic writings, is founded on the inconclusive premise of a substantial interrelation between the rabbis and the Pharisees, plausibly Qumran's opponents, with respect to fundamental ideology and legal practice.[3] Further, a comparison between documents written two centuries apart may be somewhat impaired.

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[1] Steven D. Fraade, "Looking for Legal Midrash at Qumran," in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls* (STDJ 28; ed. Michael Stone and Esther Chazon; Leiden: Brill, 1998), 59–79.

[2] Steven D. Fraade, "Looking for Narrative Midrash at Qumran," in *Rabbinic Perspectives, Rabbinic Literature and the Dead Sea Scrolls* (STDJ 62; ed. Steven D. Fraade et al.; Leiden: Brill, 2006), 43–68.

[3] Lawrence H. Schiffman, "The Dead Sea Scrolls and Rabbinic *Halakhah*," in *The Dead Sea Scrolls and Background to Postbiblical Judaism and Early Christianity* (ed. James R. Davila; Leiden: Brill, 2003) 3–24 at 3, writes, "it is most probable the later rabbinic tradition continues with that of the Pharisees."

2.1. The Etymological Meaning of the Terms דרש and מדרש in Scripture, Rabbinic, and Qumran Corpora

The term דרש has many meanings in Scripture and cannot serve as an indicator for our purpose, that is, to define the absolute meaning of the term מדרש. Its meaning varies, from "I will demand an accounting [for a wrong deed]" (Gen 9:5), to "seek [the Lord]" (Deut 4:29), "[the Lord] cares for [the land]" (Deut 11:12), "[until he] comes looking [for his animal that went astray]," "seeking [the good of the people]" (Jer 38:4), and "seeking [a treaty of friendship]" (Deut 23:7, verse 6 in KJV; Ezra 9:12), and finally the common "inquire" (Deut 13:15, verse 14 in KJV). The various translations[4] of Ezra 7:10 לדרוש את תורת ה׳, a verse more relevant to our issue, do not bring us much further.[5]

The term דרש has also many meanings in rabbinic literature, but the bulk of these meanings relate to the complex rabbinic exegesis, in many instances really *eisegesis*,[6] of Scripture for both halakhic (*m. Ber.* 1:5)[7] and narrative topics (*t. Sota* 6:6).[8] It is found also in the term בית המדרש,

[4] The KJV translates it as "to seek," the NIV as "to study"; the LXX uses the term ζητέω, which can be translated as "search/seek/inquire."

[5] Paul Mandel, "The Origin of Midrash in the Second Temple Period," in *Current Trends in the Study of Midrash*, (ed. Carol Bakhos; Leiden, 2006), 11–34 at 24, emphasizes that the term דרש in association with תורה should be understood as "to expound," in contrast to "search or inquire" when it stands alone.

[6] I dispute the term "extra-scriptural halakhot" coined by Azzan Yadin, "Resistance to Midrash? Midrash and Halakhah in the Halakhic Midrashim," in *Current Trends in the Study of Midrash* (ed. Carol Bakhos; Leiden: Brill, 2006), 25–58, because of factual differences between the two related terms. See Excursus II.

[7] We read there, "One must recite the exodus from Egypt at night-time. Said Rabbi Eleazar ben Azzariah: I am about seventy years of age and did not know the source of this rule until Ben Zoma revealed it by interpreting Deut 16:3 'all the days of your life you may remember the time of your departure from Egypt.' all the days of your life [the apparently superfluous 'all' intends to emphasize] the nights and the Sages say the days of your life [refers to the life] of this world, and the [addition of] all [refers] to the next world."

[8] We read there, "Interpreted Rabbi Akiba, [it is written in Gen 21: 9] 'But Sarah saw that the son whom Hagar the Egyptian had borne to Abraham was mocking' (this is the interpretation of the KJV and NIV; the term צחוק has indeed many meanings, and the translators use various terms for its interpretation in this verse: the RSV has 'playing,' just as the LXX translates it by the term παίζοντα 'to play'): the term used here refers to idolatry, since it is said [in Exod 32:6] 'they sat down to eat and drink and got up to indulge in revelry' (NIV) [and there it definitely relates to idolatry]." Mandel, "Origins," 29, writes that in rabbinic literature the term דרש is also used in the context of instruction, unrelated to interpretation. I am not convinced from the particularly emphasized example he cites from *Sifra Behuqotai parsha* 2. The admonition against those who did not fulfill the

the edifice in which the rabbis met and created these interpretations of scriptural verses. The term דרש has likewise a variety of meanings in Qumran, usually determined by context.[9] In CD-A I:10 it denotes "seeking the Lord," as in Deut 4:29; in CD-A I:18 it implies those who "seek easy or sly interpretations"; in CD-A VI:7, "the Interpreter of the Law," and in v. 21 "to seek his brother's well-being" (transl. Vermes) or "welfare" (transl. E. Cook); in CD-A XIV:16, "for whom no man cares" (transl. Vermes); "without a near kinsman" (transl. E. Cook).

The term מדרש appears only once in Scripture, notably in 2 Chr 24:27, bordering the period of our inquiry, and this appearance may already indicate its meaning. The Hebrew text reads: הנם כתובים על מדרש ספר המלכים "they are written on the {annotations (NIV) / commentary (RSV) / story (KJV)} of the book of the kings." This odd addition of the term מדרש to the book, in contrast to the similar phrase על ספר מלכי ישראל,[10] implies that some comment or supplementary text was added later.[11] The term מדרש may have been coined to indicate something added to the original text, and thus corresponds to the rabbinic concept of מדרש. The rabbinic meaning of מדרש seems to be unequivocal:[12] it relates to a method of interpretation, one that attempts "to find a hidden meaning, which may completely ignore the plain meaning, or even the literal meaning of the text."[13] It is the antithesis of the simple-sense meaning of

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divine written laws as the *Midrash Hakhamim* seems to me to imply "how the Sages have interpreted it" rather than "how the Sages instructed," as interpreted by Mandel. At the least, it is ambiguous.

[9] Moshe J. Bernstein, "Interpreter of the Law," *EDSS*, 383, writes that the title *doresh ha-torah* "occurs four times in the Dead Sea Scrolls but it is used in different ways."

[10] This is the common style in Kgs and Chr. There are a few exceptions, but the term במדרש appears only once, in a different context, in which it is appropriate. We read in 2 Chr 13:22, כתובים במדרש הנביא עדו "written in the annotations of the prophet Ido" (NIV). Here the LXX translates the term as βιβλίω "scroll/letter."

[11] The LXX does not translate the term מדרש at all. We do not know whether they had a different *Vorlage* in which this term was missing or whether, being unconscious of its meaning, they preferred to ignore it.

[12] James Kugel, "Two Introductions to Midrash," in *Midrash and Literature* (ed. Geoffrey H. Hartman and Sanford Budick; New Haven: Yale University Press, 1986), 77–103 at 91, writes, "At bottom *midrash* is not a genre of interpretation but an interpretative stance, a way of reading the sacred text." I do fully agree that every interpreter of a text approaches the task with a definite stance, and this is my thesis in defining the crucial distinction between rabbinic and qumranic interpretation. At the same time, however, we cannot escape defining the term *midrash* as the general "fruits" of the interpretive activity, as Kugel writes, classified into its different types.

[13] David Instone Brewer, *Techniques and Assumptions in Jewish Exegesis before 70 C. E.* (Tübingen: J.C.B. Mohr, 1992), 16.

the text, as we observe from its use in rabbinic literature.[14] Rashi, Scripture's and rabbinic literature's foremost commentator, asserts the same.[15] Its usual style is a text "in which the extract of scripture is explicitly cited and then given independent interpretation."[16] The Thirteen *Middot*, the technical rules of rabbinic exegesis, are introduced by the term דרש; the introduction states that there are "thirteen *Middot* for the exegesis of the Torah," demonstrating that the term מדרש is to be understood as an interpretation founded on these thirteen techniques;[17] it is distinct from term מקרא, which describes the simple, literal interpretation of the Torah. A citation from *m. Ned.* 4:3 demonstrates the distinct classification of the various modes of Torah study or interpretation: "He may teach him *midrash*, halakhot and *aggadot*, but [he must not teach him] Scripture."[18] We observe that there is a marked difference between plain Torah

[14] We read, for example, in *m. Šeqal.* 6:6, "[the halakhah that] the meat of the holocaust offering is dedicated to God [burnt on the altar] and its skin goes to the priests originates from a *midrash* by the High Priest Jehoiada." It is then explained that in Lev 5:19 the term אשם is written three times, once with the extension לה "to God"; this expression constitutes an apparent contradiction. The אשם offering is consumed by the priests, as appears explicitly in Lev 7:6–7, but the term with the suffix "to God" implies that it should be burnt to God upon the altar. Yehoiada, the High Priest at the time of King Jehoash, resolved this contradiction, as is written in 2 Kgs 12:17: "the money from the guilt offerings and the sin offerings was not brought into the Temple of the Lord; it belongs to the priests." By an additional convoluted conjecture, the consequence of his *midrash* is applied to grant to the priests the skins of the holocaust offerings and the meat of the guilt offerings, despite the fact that all the cited verses refer indiscriminately to both guilt and sin offerings.

[15] Rashi uses two main literary styles in making his distinction between the two interpretation systems. We read, for example, his comments on Gen 15:5: "[It is written]: 'He [God] took him outside' according to its simple-sense meaning [it says]: He took him outside his tent to see the stars, and according to its *midrashic* sense [it says]: He said to him [Abraham] get out from your astrological divination that you will not have a son." A different style we encounter, for example, in Rashi's comments on the sentence כי באפם הרגו איש "they have killed a man (in singular mode) in their anger" (Gen 49:6). Rashi writes, "[the term *man*, in singular mode] refers to Hamor and the people of Shechem, [but Scripture uses the single mode, because] 'they are all worth the same as one person'; . . . this is its *midrashic* interpretation, but its simple meaning is: he calls many people in singular, each on his own, [intending to say] they killed each person with whom they were furious."

[16] George J. Brooke, "4Q252 as Early Jewish Commentary," *RevQ* 17, 1–4 (1996): 385–401 at 389.

[17] *Mek. Bo, parsha* 16.

[18] This refers to somebody who has made a vow not to enjoy any remuneration or gratification from someone; the *Mishnah* classifies what things he may nevertheless do for that person. It is permissible to teach him *midrash*, halakhot, and *aggadot*, because one may not receive payment for doing so, but he must not teach him Torah, because one may receive payment for this activity.

study and its particular מדרש *midrashic* interpretation. We must assume that the study of Torah includes some interpretation, probably its simple meaning, and hence studying its *midrash* consists of an elaborate *ex-* or *eisegesis*, that is, what can be deduced from or induced into the text in addition to its simple meaning.[19] Fraade, on the other hand, perceives a broader concept of the term *midrash*, without specifying that it does not include simple-sense interpretations;[20] it is plausible that he does not mention such interpretations because they are indeed limited in rabbinic exegesis.[21]

Qumran also used מדרש with a variety of meanings, according to context. In 1QS VI:24, the phrase **ושפטו במדרש יחד**[22] is translated by Martínez as "they shall judge in an examination of the Community"; by Vermes as "… the Court of Inquiry"; and by Wise and Abegg as "… a community inquiry."[23] At any rate, it cannot be interpreted here as

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[19] Moshe J. Bernstein, "4Q252 from Re-written Bible to Biblical Commentary," *JJS* 45 (1994):1–12 at 2, portrays the definition of simple-sense exegesis: "to solve exegetical difficulties solely within the parameters of the text or texts under consideration, without the superimposition or introduction of external consideration." Rabbinic *midrash* does the opposite.

[20] In his explanation of the term *midrashim* in the *Encyclopedia of the DSS*, 549 he writes: "The term *midrash* in the context of early rabbinic literature has three levels of meaning: the activity of interpretive study of Hebrew scriptures, the discrete exegetical results of such study, and the literary collections (*midrashim*) of such exegeses." In fact, in his subsequent elaboration of his opening statement, cited above, he enumerates the *Midrashei halakhah*, which do not include simple-sense interpretations.

[21] In the rabbinic literature, the term **פשט** "simple-sense interpretation" is used mainly as a verb, with the sense "explain/solve," as, for example in *b. Abod. Zar.* 73b: **מעיקרא לא פשט ליה לבסוף פשט ליה** "Initially he did not give him a response [to a halakhic question], but then he did." Another style we encounter in *b. Abod. Zar.* 47a: **מפשט פשיטא ליה לרב פפא** "[This] was clear to Rav Pappa [but he was uncertain about another circumstance]." The term **פשט** "to explain" is used even where it refers to a *midrash* and not to a simple-sense interpretation, as we read in *y. Meg.* 1, 72b, *hal.* 11: "Wherefrom do we know that blemished [animals were not permitted to be offered at the *Bamoth*]? [A.] Said Rabbi Yasa: that question Rabbi Leizer **פשט** 'explained/solved' to the group, it is written 'of every living thing of all flesh (Gen 6:19, on the living creatures to be brought by Noah into the ark), [intending] that their members should be intact.' [Then the same is asked about] birds, which lost the feathers, and Rabbi Leizer explained/solved it, since it is written 'every bird and [literally] every [feathered] wing' (Gen 7:14, on the creatures that entered into the ark) and that intends that it must have all its feathers." We observe the common rabbinic use of non-contextual verses in support of *midrashic* exegesis.

[22] See Paul Heger, "Did Prayer Replace Sacrifice at Qumran?" *RevQ* 86/22, 2 (2005): 213–233 at 223–225, a study of the term **משפט** in 1QS and other Qumran writings.

[23] Florentino García Martínez and Eibert J.C. Tigchelaar, *The Dead Sea Scrolls Study Edition* (Leiden: Brill, 1997); Géza Vermes, *The Dead Sea Scrolls in English* (Baltimore, MD: Penguin, 1965); Emanuel Tov, ed., *The Dead Sea Scrolls Electronic Library* (Leiden: Brill, 2006).

"interpretation." In 1QS VIII:26, and in its parallel, 4QS^{d} (4Q258)VII:1, the phrase is translated in the first case by Martínez as "investigation" and by Vermes, figuratively, as "judgment of the congregation"; in the second case, Martínez translates it as "interpretation." Based on the context, I would suggest interpreting the term here as "study session [that took place for one-third of each night]." A man who has been punished by two years' exclusion from the privileges previously enumerated may now enjoy them, including his participation in מדרש; he may return to study sessions and deliberations, but not to the investigation of the Torah—he was not authorized to do this before, and so this privilege is not restored after his period of repentance. As we read in 1QS VI:7, only one particular man איש דורש בתורה is investigating the Torah, while all other members of the community only "read the book/the Torah and ask for the correct rules."[24]

The term מדרש למשכיל in 4Q256 IX:1 and 4Q 258 I:1 must also be interpreted, according to its context, as "instructions." In CD-A XX:6, the expression מדרש התורה is translated by Martínez as "explanation of the Law"; in 1QS VIII:15 and in 4Q 259 III:6, it is translated by Martínez, Vermes, and Fraade[25] as "the study of the Law," though I would prefer "the interpretation of the Law," similar to מדרש התורה האחרון in 4Q266 frg. 5 i:17 and in a few other verses where it is translated as "the Last Interpretation of the Law."[26] The meaning of מדרש in Qumran literature is thus utterly different from the *Midrash Halakhah* and *Midrash Aggaddah* in rabbinic literature. At any rate, our contemporary use of the concept of *midrash* is shaped by the rabbinic perspective, and we must be conscious of its significance. Therefore, I do not consider these terms appropriate for the style, structure, aim, or outcome of Qumran's exegesis.[27] I elaborate on this assertion over the course of the present study.

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[24] Fraade, "Legal Midrash," 66, writes, "It is difficult to discern the force of the verb דרש with respect both to the man who studies the Torah continually and the Many who study communal laws for the third of the night." See Paul Heger, "The Development of Qumran Law: 'Nistarot,' 'Niglot' and the Issue of 'Contemporization,'" *RevQ* 23,2 (2007): 167–206, particularly at 179–181, regarding the different functions of the interpreter of the Torah and the other members of the community. In essence, the context—that is, what one studies, the תורה or the משפט—determines the exact meaning of the term דרש.

[25] Fraade, "Legal Midrash," 64, interprets it as "the study of the Torah."

[26] B.Z. Wacholder, *The New Damascus Document: The Midrash on the Eschatological Torah of the Dead Sea Scrolls: Reconstruction, Translation and Commentary* (Leiden: Brill, 2007), 10, interprets it as "the Midrash on the eschatological Torah."

[27] Aharon Shemesh and Cana Werman, "Halakhah at Qumran," *DSD* 10, 1 (2003): 104–129 at 128–129, conclude "that halahic *Derasha* as a genre is absent from the

2.2. Philosophical/Theological Distinctions in the Approach to Scriptural Interpretation of Legal Issues

There is no doubt that biblical texts, and particularly the commands and prohibitions, show many lacunae, inconsistencies, and indeterminate ordinances. Qumran scholars, like the rabbis and the later Karaites, confronted the dilemma of how to interpret them. The pivotal distinction between the rabbinic and Qumranic methods of interpretation is the core of my thesis, as opposed to that of Fraade. Whereas Fraade, Fishbane, and others have attempted to reveal similarities of the exegesis in the two corpora, with the intent, it seems to me, of reconciling Qumran's exegesis with the familiar rabbinic interpretive method, which is probably considered "normative," I aspire in this study to demonstrate the fundamental distinction between the two methods of interpretation. I think that in the process of analyzing Qumran legal texts, we must detach ourselves entirely from the methods of the familiar rabbinic literature, and examine these texts from another perspective, directly from their biblical source.

In my opinion, as argued in my book, *The Pluralistic Halakhah*, the Tannaim, and, plausibly, their forerunners the Pharisees, decided the interpretation of the scriptural rules, and consequently the constitution of the relevant halakhot in accordance with pragmatic considerations, appropriate for their period, but did not divulge their intent or method.[28] They or their followers attempted at a second stage to create exegetical justifications for their decisions. Often these decisions were extremely far-fetched with respect to the simple meaning of the text, and occasionally they patently contradicted it. However, the Tannaim attempted to demonstrate that their interpretation was anchored in the biblical text. We could compare their interpretive system to Derrida's principle of the autonomous meaning of the text, allowing extra-intentional or even contra-intentional meanings but without admitting it.[29] The Tannaim contended that their interpretation was in concord with the divine intention. Their interpretation of the biblical *lex talionis* as intending

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Dead Sea Scrolls." I disagree, however, with the authors' determination that the Qumran halakhot were the "result of divine revelation," as I have substantiated in Heger, "Development of Qumran Law," and in the present study.

[28] Paul Heger, *The Pluralistic Halakhah: Legal Innovations in the Late Second Commonwealth and Rabbinic Periods* (Berlin: de Gruyter, 2003), 104–126.

[29] See Patrick Colm Hogan, *On Interpretation: Meaning and Inference in Law, Psychoanalysis, and Literature* (Athens: University of Georgia Press, 1996), 44.

monetary compensation is a good example of such practice, and demonstrates the bearing and extent of the rabbinic concept of *midrash*.[30] In contrast, Qumran scholars adhered, as much as possible, to the simple and straightforward interpretation of biblical rules, without any other consideration, including their practical difficulties.[31] They could not envisage that God would allow an interpretation of the Torah that overturns its simple meaning and permits, for example, the desecration of the Sabbath to save a life or even to defend oneself when at war.[32] The Torah does not express the slightest hint that there might be any reason, however justified it might seem to humans, to desecrate the Sabbath or to transgress any divine command. The seven feeble justifications offered by the rabbis for permitting the desecration of the Sabbath to save life (in *b. Yoma* 85a and b) demonstrate the absolute lack of biblical support for it.

An example of a halakhah on which we have conflicting decisions by the rabbis and Qumran will substantiate my thesis of rabbinic pragmatism, illustrate its broad extent, and elucidate Qumran's motive for the rude rejection of the rabbinic/pharisaic interpretive system. Scripture decrees three commands whose fulfillment is crucially influenced by the distance from Jerusalem. Num 8:10 permits abstaining from participation in the Passover meal at its established date, and instead accomplishing it one month later, if one is בדרך רחקה "on a far-off journey." Deut 12:21 allows the secular slaughter of unblemished animals fit for offering at the Temple "if the place where the Lord your God chooses to put

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[30] See Paul Heger, *Cult as the Catalyst for Division: Cult Disputes as the Motive for Schism in the Pre-70 Pluralistic Environment* (Leiden: Brill, 2007), 69, n. 96, on the rabbinic interpretation of the *lex talionis* in Lev 24:19–20.

[31] Lutz Doering, "Parallels without Parallelomania," in *Rabbinic Perspectives, Rabbinic Literature and the Dead Sea Scrolls* (ed. Steven D. Fraade et al.; Leiden: Brill, 2006), 13–42 at 16, quotes Karlheinz Müller, "Anmerkung zum Verhältniss von Tora und Halacha im Frühjudentum," in *Die Tora als Kanon für Juden und Christen* (ed. E. Zenger; Freiburg: Herder, 1996), 257–291, arguing that halakhic compositions are grounded on the exigencies of life. This is true with respect to the rabbinic practice, but it does not concur, in my opinion, with the qumranic attitude toward biblical commands, as I demonstrate in the subsequent text.

[32] See Heger, *Cult*, 139–141 and nn. 388–389, for discussion of rabbinic and Qumranic differences on the question of whether saving life overrides the Sabbath law. Steven D. Fraade, "The Torah of the King in the Temple Scroll," in *The Dead Sea Scrolls and Background to Postbiblical Judaism and Early Christianity* (ed. James R. Davila; Leiden: Brill, 2003), 25–60 at 26, expresses an enlightening maxim: "Legal systems are no more *functional* systems of order and control than they are *fictive* systems of meaning and imagination" (original emphasis).

his Name is too far away from you," and Deut 14:24 permits exchanging one's tithes for money and carry the money to Jerusalem כי ירחק ממך "because the place where the Lord will choose to put his Name is so far away." Scripture does not inform us, in the text of these commands, of the exact distance perceived as "far," but it indicates elsewhere that a distance of three days' walk is assumed to be far, and I suppose this to be the foundation of the Temple Scroll's decisions to interpret the biblical requirements accordingly. 11QT LII:13–16 demands a distance of three days' walk from Jerusalem to permit secular slaughter of unblemished animals, and 11QT XLIII:12–15 requires the same distance for allowing the exchange of tithes.[33] We may assume that Qumran decided that the same distance was required for permission to postpone participation in the Passover meal. According to a simple logical consideration, if Scripture informs us once of its criteria for what constitutes "far," it is superfluous to repeat this information on every similar occasion. The Temple Scroll's decision, plausibly accepted by Qumran, generated severe hardship by prohibiting secular slaughter of edible animals in the entire area of Judea, but Qumran decided their halakhot according to Scripture's simple meaning, with no other consideration, as stated above.[34]

The rabbis, in contrast, limit this prohibition to the עזרה, the Temple precinct, although they too deduce on another occasion, by a simple interpretation of a biblical passage, the meaning of "far" as a three days' walk, with respect to a narrative.[35] We read in *Sifra Lev*. *Dibura*

[33] We encounter this in Josh 9:16–17 and in Exod 15:22 (distance), Num 10:33 and 33:8 (distance), Jonah 3:3 (distance), and elsewhere.

[34] Cf. Aharon Shemesh, "Three Days' Journey from the Temple: The Use of This Expression in the Temple Scroll," *DSD* 6 (1999): 126–138, offers a different interpretation of this TS rule, built on his assumption that even to Qumran a prohibition of secular slaughter in the entire land of Israel would be excessive. It is not within the scope of this study to enter into an extensive debate about this rule; I would simply remark that Shemesh has attempted to forge a solution to this problem that is similarly founded on an assumption of the author's simple interpretation of the relevant biblical verses. Further, I do not believe that Shemesh's indicated motive justifies a complex or unusual interpretation implying that the TS author and Qumran would interpret the distance of three days' walk not literally but, rather, as referring to the center of the land, and would consequently permit sacral slaughter on *Bamoth*, outside this perimeter.

[35] The three days that Moses asked Pharaoh to let the Israelites go to perform sacrifices (many passages in Exod), according to God's command (Exod 3:18), are definitely intended to represent a far distance, and this meaning is also attested in rabbinic literature. We read in Exod 13:17 that God did not lead the people through the shorter road "because they might change their minds and return to Egypt, if they face war." *Mek. Beshalakh*

d'Nedaba 13 that "[the term 'slaughter' is written three times at the commands of the fellowship offering] ושחטו ושחט אותו ושחט אותו [in Lev 3:2, 8, and 13, and]; that teaches us [the following limitation:] since it is written 'if the place the Lord chooses is too far away' that you may slaughter at a distant place, and you must not slaughter at a close place, [and that means] that one must not slaughter unconsecrated [animals/birds] [solely] in the Temple precinct." Instead of considering the criterion of the biblical requirement of being רחוק "far" from Jerusalem, the rabbis turned it on its head and contemplated on its antipode: What does "far" mean? "Not close"? Driven by the pragmatic consideration of avoiding a situation that would prohibit profane slaughter throughout Judea, they decided that outside the Temple precinct is already "not close" and that secular slaughter is permitted even in Jerusalem.[36] The rabbis' pragmatic approach and their belief in Scripture's multi-vocality—that is, that a verse can be interpreted in different yet legitimate ways—is also substantiated in this occurrence. They decided by a complex *midrash* that the term רחוק "far" in Deut 14:24, relating to the permissibility of exchanging tithes for money instead of carrying them *in natura*, as is the regular rule for sites not far from Jerusalem, means "outside the walls of Jerusalem" (*b. Mak*.19b). Though the two sites may seem conceptually similar (both are *outside of* a given location), they are different. The commands in both Deut 12 and 14 mention the same location: "the place the Lord will

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links this verse with Exod 8:23 (verse 27 in KJV), in which Moses requested a three-day journey into the wilderness. Thus, by a simple logical consideration, a distance less than three days' walk is considered "near." I disagree with Lawrence Schiffman's assertion, in "Sacral and Non-sacral Slaughter According to the *Temple Scroll*," in *Time to Prepare the Way in the Wilderness: Papers on the Qumran Scrolls* (ed. Devorah Dimant and Lawrence H. Schiffman; Leiden: Brill, 1995), 69–84 at 75, that "the author/redactor of the scroll learned by a sort of *gzerah shava* that a far distance is more than three days' journey." There is no need in this case to use such a rabbinic exegetical method, which Qumran opposes, as I argue here. The *Mek*. does not apply any exegetical method to reach its conclusion, and it is definitely inappropriate to assume that Qumran used such a method. Yigael Yadin, *The Temple Scroll* (Israel Exploration Society: Jerusalem, 1983), 1.317, states that the "three days" requirement is linked to Exod 3:18.

[36] David Stern, *Parables in Midrash: Narrative and Exegesis in Rabbinic Literature* (Cambridge, MA: Harvard University Press, 1991), 179, states, on a similar topic, that "*Midrash* thus deploys scriptural exegesis for its own end." However, as I have stated elsewhere, I hypothesize that the historical circumstances at the time when the above rule was recorded—at least a century after the Temple's destruction and its practical irrelevance—cannot unquestionably confirm or deny that it was indeed applied at the period when the Temple still functioned. A number of rabbinic rules pertaining to the Temple are theoretical and cannot serve as ironclad evidence for their previous application.

choose to put his Name"; yet the rabbis interpreted this as "outside the Temple precinct" in Deut 12 and as "outside the walls of Jerusalem" in Deut 14. This seems to be the motivation for the different *Midrash Halakhah* for the commands regarding the slaughter in *Sifra* and for the exchange of the fruits in *b. Mak*. With respect to delaying the Passover meal, we encounter a dispute between Rabbi Akiba, who requires a distance as from Modiin to Jerusalem (assessed by Ulla in *b. Pes*. 93b as fifteen miles) and the same parameter from all sides (of Jerusalem), and Rabbi Eleazar, who is assumed to interpret another biblical verse and allows the delay for someone who, at the appropriate time, is outside the Temple precinct (*m. Pes*. 9:2).

Observing the different rabbinic interpretations of the biblical term רחוק, I doubt whether the urge to define and classify rabbinic *midrash* is productive, as elaborated in great depth by C. Bakhos and by an array of scholarly propositions cited in her book.[37] The rabbis' pragmatic approach, which permitted them to interpret identical biblical terms or verses in different ways, as we have observed in the examples cited above, impedes any overall defined categorization. I believe that the rabbis used defined principles in their interpretive system but applied these rules selectively, based on pragmatic considerations.

On the other hand, both schools believed, in their own ways, that by their approach to interpreting Scripture, they were fulfilling the divine intention. The *midrashic* system allowed the rabbis to arrive at a far-fetched interpretation, at times patently contrary to the simple understanding of the text, while at the same time maintaining that they were upholding the biblical commands. The Qumranites equally believed that by interpreting the biblical commands literally, or what seemed to them to be literally, they adhered to the divine commands and intentions.[38] They believed that their opponents, whoever they were, falsified the divine will by their contorted interpretation. I disagree with E. Regev's categorical assertion that "the Qumran sectarians followed a stricter halakhic approach than the Pharisees and Rabbis."[39] Their stricter

[37] Carol Bakhos, "Methodological Matters in the Study of Midrash," in *Current Trends in the Study of Midrash* (ed. Carol Bakhos; Leiden: Brill, 2006), 161–187.

[38] Bernstein, "4Q252, Rewritten," 19–20, writes in a similar circumstance that "the author of 4Q252 is of the opinion that the *sensus literalis* of a prophetic blessing, like that of Jacob, is by definition eschatological."

[39] Eyal Regev, "Reconstructing Qumranic and Rabbinic Worldviews: Dynamic Holiness vs. Static Holiness," in *Rabbinic Perspectives: Rabbinic Literature and the Dead Sea*

halakhah, in most, if not all, circumstances, is not the result of an ideologically founded principle of severity but the outcome of their interpretive method, which is indeed grounded on their theological viewpoint, as stated above.[40] The instances in which Qumranic halakhot do not seem to be engendered by a simple-sense reading of the scriptural text—such as the additional first-fruits holidays or the form and content of the phylacteries—may denote earlier traditional customs, accepted and practiced by everybody, and thus beyond debate.[41] Qumran opposed the alteration or annulment by the institutional authorities of some of these customs or halakhot, which were retained by the Qumran community.[42]

Scrolls: Proceedings of the Eighth International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature, 7–9 January, 2003 (ed. Steven D. Fraade et al.; Leiden: Brill, 2006), 87–112.

[40] See my extended study of this issue in Paul Heger, "Stringency in Qumran?" *JSJ* (2011): 188–217.

[41] See Heger, *Cult*, 139 and n. 384, for an extended deliberation about this issue and 136/7, n. 371, about the probability that a host of Sabbath rules without any scriptural support were also ingrained in ancient times. Menahem Kister, "A Common Heritage: Biblical Interpretation at Qumran and Its Implications," in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls* (ed. Michael Stone and Esther Chazon; Leiden: Brill, 1998), 101–111 at 105–106, alludes to an exegetical basis common to Qumran and the rabbis on the structure and contents of phylacteries. In view of the utter dissimilarity between rabbinic and qumranic exegesis (which we can observe from the second example, the addition of time to the Sabbath, quoted on pp. 60–63 of this chapter), I am not inclined to agree with Kister's presumption. I would hypothesize, rather, that the wearing of phylacteries was an ancient custom whose roots fell into oblivion and which, being deeply ingrained, was no longer a matter of debate. I also dispute Kister's statement that "both Pharisaic and sectarian Halakhah evidently have a common exegetical basis," for the same reason. Kister's comment that Qumran and the rabbis "differ significantly in their specific interpretations of the biblical verses and in the halakhic details" seem to me incompatible with his allegation of "a common exegetical basis." Joseph M. Baumgarten, "Tannaitic Halakhah and Qumran," in *Rabbinic Perspectives*: *Rabbinic Literature and the Dead Sea Scrolls* (ed. Steven D. Fraade et al.; Leiden: Brill, 2006), 1–11 at 3, is more cautious, asserting that "the existence of a body of common Jewish law shared by the Essenes of Qumran as well as the Pharisees should not *a priori* be left out of consideration."

[42] See Heger, *Cult*, 273–274, 284 n. 87, on the sequence of events that created the dissension between the Qumran community, who continued to use the solar calendar in their religious life, and the Pharisees, who adopted the newly introduced lunar calendar. Noam Vered, "Qumranic Exegesis and Rabbinic Midrash: Common Interpretation and Implied Polemics," in *Meghillot* (ed. M. Ben-Asher and Devorah Dimant; Jerusalem: Mossad Bialik, 2009), 71–98 at 94–95, concludes, after examining three disputes between Qumran and rabbinic halakhot, that in two cases the Qumran halakhah corresponded to the ancient halakhah.

2.2.1. *Rabbinic Philosophy*

The rabbis' interpretations were based on their understanding of the texts and of the general principle, the *Grundnorm*[43] of the Torah, as well as their awareness of the need to adapt the traditional rules and customs to actual circumstances. The requirements of contemporary political and economic conditions guided their considerations and decisions; they believed that their intensive study of the Torah, and their quest to reveal its concealed messages and manifold rationales, meant that their decisions complied with the divine will.[44] The rabbis consequently also believed that God had granted them authority to interpret the Torah according to their own perception of its rationales. They asserted this belief frankly in the renowned Akhnai narrative in *b. B. Mez.* 59b. This narrative recounts a miraculous divine intervention on the side of Rabbi Eleazar's opinion and in conflict with that of the majority of Sages. "Rabbi Joshua, in the name of the Sages, stood up [in defiance] and said: '[The Torah] is [no longer] in heaven [cf. Deut 30:12], it was already given [to the people of Israel] on Mount Sinai, and we have now the authority to decide the correct halakhah.'" The story reaches its climax when Elijah tells a rabbi that God smiled at that juncture and declared, "My children were victorious over me," acknowledging the rabbi's authority to interpret Scripture even in conflict with the simple meaning of the text, the assumed divine intention.[45] To reveal the divine intentions implicit in Scripture, they devised a number of statutory rules: (a) the *Middot*[46] and (b) the רבוי-מיעוט "extension and limitation" method.[47] Supporting their decision by appropriate exegesis of the relevant biblical

[43] In modern terms we would say that the "Law" consists of norms of universally accepted essential principles and that each judge decides, on the basis of these principles, the law's application in each particular case. The Sages perceived themselves to have the same liberty of decision with respect to the norms of the universal divine "Law." Joel Roth, *Halakhic Process*: *A Systemic Analysis* (New York: Jewish Theological Seminary of America, 1986), 9, calls this divine law the *Grundnorm* (a term used by the positivist Kelsen), and states that the Sages considered themselves its sole legitimate interpreters.

[44] I disagree with Lester L. Grabbe, *Judaic Religion in the Second Temple Period* (London: Routledge, 2000), 178–182, who alleges that much of the content of the *Mishna* "did not arise from the OT." The composers and redactors of the *Mishna* founded all their rules exclusively on Scripture, which they interpreted using various considerations.

[45] David Weiss Halivni, *Peshat and Derash: Plain and Applied Meaning in Rabbinic Exegesis* (New York: Oxford University Press, 1991), 50, writes of "talmudic exegesis, whose interpretations frequently alter the substantive meaning of the text."

[46] That is, the seven rules of Hillel (*t. Sanh.* 7:11) and the thirteen rules of R. Ishmael (*Sifra*, *Baraita d'Rabbi Ishmael*).

[47] *Y. Ber.* 9:5, 14b explains this interpretive method, applied by Rabbi Akiba.

commands, founded on the *Middot*, enabled the Sages to present their halakhot as preserving the perpetual and immutable scriptural rules without violating the prohibition of Deut 13:1—"do not add to it or take away from it" (12:32 in KJV).

Based on my studies, I believe that the rabbinic halakhot were founded mainly upon the rabbis' own conceptual reflections, and that the subsequent hermeneutics served as justification. In reality, the Tannaim did not justify their halakhot; Weiss-Halivni[48] perceives the Mishnah as "apodictic, unjustified law" and the *Gemara*, which attempted to reveal biblical support, as "justificatory law." In my opinion, the rabbis perceived the function of the *midrash* not as a "creative interpretation" מדרש יוצר but as an "integrative interpretation" מדרש מקיים that supports the *a priori* ideological decision.[49] The rabbinic maxim "And both [Sages, who dispute a halakhah, attained their conflicting opinions by] interpreting [differently] the identical biblical verse," indicate the feebleness of their reliance on the literal text.[50] On the other hand, this maxim of the Bible's multi-vocality enabled the rabbis to consider more than one interpretation legitimate, which led them to another significant axiom: "Both [conflicting halakhic utterances] are the words of the living God" (*b. Git*. 6b). Though it was later decided how to establish the halakhah, that is, how to proceed in practice, the conflicting opinions were appreciated and diligently preserved, despite the adversities generated by the prohibition on recording them in writing. In conclusion, the rabbis considered not only ethical values but also practical issues to be crucial constituents in their halakhic decisions.[51] Examples will be cited in due course.

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[48] David Weiss Halivni, *Midrash, Mishnah and Gemara: The Jewish Predilection for Justified Law* (Cambridge, MA: Harvard University Press, 1986), 68.

[49] These translations are by Menachem Elon, *Jewish Law: History, Sources, Principles = Ha-mishpat ha-Ivri*, vol. 1 (trans. Bernard Auerbach and Melvin J. Sykes; Philadelphia: Jewish Publication Society, 1994), 283.

[50] The source of the quoted passage is a *baraita* in *b. Šabb*. 117b: "How many meals must a person eat on Sabbath? Three. Rabbi Hidka says: four. Said Rabbi Johanan: and both deduced it by the interpretation of the identical [biblical] verse; [it is written in Exod 16:25] 'Eat it today, Moses said, because today is a Sabbath to the Lord. You will not find any on the ground today.' Rabbi Hidka thinks that since the term "today" is written three times, it intends to say that one must eat three meals during the day and one during the evening, and the anonymous rabbi thinks that the three meals comprise the one at the evening."

[51] See Mosheh Halbertal, *Mahapekhot parshaniyot be-hithavutan: 'arakhim ke-shiḳulim parshaniyim be-midreshe halakhah* (Jerusalem: Y.L. Magnes, 1997), esp. at 15–22.

2.2.2. *Qumran Philosophy*

Qumran scholars were utterly antagonistic to the procedure described above, abhorred this "*midrash*"[52] method, and accused those who practiced it of דורשי חלקות or רמיה "searching for sly/deceitful interpretations." We do not know how Qumran's adversaries, probably the Pharisees, presented or justified their halakhot, which Qumran disputed in their writings, but it seems that Qumran had some awareness of their opponents' system, which they accused of being misleading and utterly wrong.[53] The rabbinic *gzerah shavah* interpretive method, amply used in their halakhic decisions, has no logical foundation. The rabbis were aware that a comparison that uses two similar terms in unrelated texts to equate their meaning is unconvincing.[54] A word used in one text, where its meaning is clear, is used to define the meaning of an identical word in another text, where its meaning is not clear, even though the texts are not related and the questionable term may have another meaning in its particular context.[55] The same applies to the קל וחומר *a fortiori* method, which seems to be founded on the following logical consideration: if an action is prohibited, a more severe action is certainly prohibited, and similarly its antithesis is a permitted action. Qumran did not apply this method, because even logical considerations can be refuted by another logical consider-

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[52] Cf. George J. Brooke, *Exegesis at Qumran: 4Q Florilegium in Its Jewish Context* (JSOT 29; Sheffield: JSOT Press, 1985), 2.

[53] Brewer, *Techniques and Assumptions*, 195, writes that there are many apparent references to the Pharisees in the sect's literature, and states that "the Pharisees are the most likely bearers of the title דורשי חלקות 'the seekers/interpreters of smooth/easy things.'"

[54] Bet Shammai, for example, did not apply it (*b. Moed Qat*. 4a). We encounter in *b. Pes*. 66a and elsewhere the maxim that a scholar cannot use this interpretive method from his own consideration, unless he knows by traditions from his teachers that it has been applied in the past. This attitude demonstrates the logical weakness of the *gzerah shavah*: it has no validity of its own, and its application is merited by tradition, not by logic.

[55] In a complex deliberation in *b. Ber*. 35, about the meaning of the undefined term תבואה in Lev 19:25 (regarding the use of the fruits of a tree in the fifth year), a *gzerah shavah* is used: "It is written here, at the fruit of the fifth year (Lev 19:25) 'your harvest will be increased,' and it is written there, at the prohibition on planting two kinds of seed (Deut 22:9) 'the fruit of the vineyard'; since there it refers to a vineyard, so it is here too." Though the two verses relate to two distinct, unrelated topics, a *gzerah shavah* is applied. We encounter a similar application of this method in *b. Suk*. 43b, which compares the command in Lev 23:42 to "sit" in the booths and the command to Aaron and his sons to "sit" in the Tent of Meeting for the seven days of its consecration in Lev 8:35. Since in the latter case the command explicitly requires staying day and night, the same should apply to the command to dwell day and night in the booths. There is no logical justification for comparing the details of the two disparate events just because the common term ישב "sit" appears in both commands.

ation, as the rabbis also admit.[56] Moreover, I would argue that humans do not have the ability or the authority to speculate on divine intentions and reasoning; the prophet Isaiah, extremely revered by the group, taught that "For my thoughts are not your thoughts, neither are your ways my ways, declares the Lord. As the heavens are higher than the earth, so are my ways higher than your ways and my thoughts than your thoughts" (Isa 55:8–9). Qumran would have considered it preposterous to presume that they understood the divine thoughts.

Therefore, I dispute scholarly presumptions that Qumran made some halakhic decisions by applying rabbinic interpretive methods, such as *gzerah shavah* or similar. For example, M. Bernstein conjectures that the death penalty for a corrupt judge in 11QT LI:16–18 is plausibly the consequence of a kind of *gzerah shavah*.[57] Since Qumran authors did not divulge the methods of interpretation by which they reached their halakhic decisions, our speculations on this topic are necessarily tentative; Qumran may have perceived and understood the relevant biblical commands differently. Bernstein then quotes some more rules from the Temple Scroll, such as the prohibition on planting sacred trees near the altar and the obligation to covering the blood with dust, which I discuss at length below (p. 32). I will state here only that according to my view, as well as that of Vermes, these rules are the outcome of logical considerations, conceptually incomparable to the *midrashic gzerah shavah* of the Thirteen *Middot*, in contrast to Bernstein's theory that they seem to be "a kind of *gzerah shavah*."[58] I have demonstrated above (pp. 22–25) the conceivable straightforward and logical reflection of the relevant biblical term רחוק that was at the foundation of Qumran's halakhah requiring a distance equal to a three days' walk for permission for secular slaughter of unblemished animals, appropriate for offering at the altar in Jerusalem.

The two relevant lemmas (Deut 1:17, on the corrupt judge, and Deut 18:20–22, on the false prophet who must be executed) that form the foundation of Bernstein's assumed *gzerah shavah* show literary difficulties. Like other TS rules discussed above, this one could be justified by a simpler interpretive method than *gzerah shavah*. I would hypothesize, for example, that the phrase in Deut 1:17 (כי המשפט לאלהים הוא "for judg-

[56] We often encounter in rabbinic literature the pronouncement that "it is a *Kal Wehomer* consideration, which can be refuted" (*b. Pes.* 66a and many others).

[57] Moshe J. Bernstein, "Pentateuchal Interpretation at Qumran," in *The Dead Sea Scrolls after Fifty Years* (ed. Peter Flint and James C. VanderKam; Leiden: Brill, 1998), 128–159 at 155.

[58] Ibid., 157.

ment belongs to God"), a phrase that makes no sense here as a justification for the antecedent command not to show partiality in judgment, was the motive for their consideration—not the term גור "to be afraid," which appears in both commands, as Bernstein alleges. The death penalty for the false prophet ("he must be put to death") does not appear close to the phrase "do not be afraid of him" in Deut 18:22, as we would expect, but in v. 20, which states that the prophet "who presumes to speak in my name anything I have not commanded him to say, or a prophet who speaks in the name of other gods, must be put to death." Just as the prophet must die (whether by man's or by God's hand is unclear) for falsely speaking in the name of God, so must the corrupt judge, who gives a false verdict in the name of God. This interpretation explains the phrase "for judgment belongs to God" as the justification for the mandate. Speaking falsely in the name of God is the transgression punished by death in both instances. This is a straightforward, logical interpretation of the text, meticulously analyzed.

Qumran scholars could not envisage having authority for a "*midrashic*" interpretation that changed or overturned the simple meaning of divine laws and rules expressed in Scripture, asserting that this simple meaning was the interpretation pursued in the past, before being adulterated by their opponents.[59] We therefore should not consider all Qumran halakhot that differ from the later rabbinic rules as deviating from normative practice; they may indeed have been, at some time, the common custom, or, at least, have been practiced by a significant segment of Israelite society. The fact that the NT (Matt 19:4; Mark 10:6–12) uses the same scriptural concept against polygamy as Qumran (CD-A IV:21–V:1) implies that such opinions circulated in Jewish society at that period; it is plausible that neither Qumran nor the Jewish Christians originated this restriction.[60] Qumran adhered as much as possible, in their method of interpretation, to the simple and straightforward meaning of the biblical rules, with no consideration of their practical consequences.

Qumran's method of interpretation, even where the vagueness of or lacunae in the scriptural text required some compounded form of exegesis, relied, as far as possible, on simple, logical consideration, incomparable to the complex rabbinic exegetical method, which was founded on the rules cited above. Instead of the rabbinic *gzerah shavah* interpretive

[59] We read in CD-A IV:8, "to act according to the exact interpretation of the law in which the forefathers were instructed."

[60] See n. 67.

method, which (as we have seen) compares the same terms appearing in texts on unrelated topics, Qumran's exegesis is founded, I assume, on the comparison of identical topics. It could be compared to the rabbinic logical interpretive rule that "the Torah mentions what is common," whereby a biblical rule relating to one subject or event is considered equally valid for identical cases, and to a limited version of the rabbinic *hekesh* method. Neither is counted in the *Thirteen Middot*, because they are not *midrashic*. Some examples of the first are given in Excursus I, p. 81; I quote another here, to demonstrate its sound logical foundation. Exod 21:33 decrees that "if anyone digs a pit and fails to cover it and an ox or a donkey falls into it, he must pay the owner for the loss and take the dead animal in exchange." Though Scripture mentions only an ox or a donkey, *m. B. Qama* 5:7 extends the rule: on the basis of the logical maxim given above, the rule applies to all animals.

As suggested above, it is plausible that Qumran used in its exegesis the rabbinic *hekesh* method, which Vermes calls "grouping and collating parallel texts."[61] However, Qumran used this procedure only when the texts relate to identical subject matter and when logic dictates that a rule or detail that appears in Scripture on one topic must consequently be applied to another topic for which this specification does not appear. This limitation discerns Qumranic practice from that of the rabbis, who apply it indiscriminately, even if the topics compared are similar rather than identical and despite their general awareness of the weakness of their exegetical method.[62] Vermes quotes such an example, in which we can observe the different approaches of Qumran and the rabbis. The example involves the extension of the biblical prohibition against planting Asheroth in Deut 16:21 to the entire land of Israel. 11Q19 (11QTemple-a) LI:19–21 commands, "You shall not do within your land as the nations do: sacrifice, and plant Asheroth, and erect pillars, and set up figured stones, to bow down to them." Although the prohibition on planting Asheroth in Deut 16:21 forbids planting only beside the altar, the author extends the prohibition to the entire land. As is habitual, he does not divulge the motive or the exegetical system used, but we may assume that he reached his decision by means of a simple, logical consideration. He compares the biblical commands of Exod 34:13, Lev 26:1, and Deut 12:3, all referring to an identical topic—preventing the

[61] Géza Vermes, "Bible Interpretation at Qumran," *Eretz-Israel* 20 (1989): 184–191. See further deliberations on this issue, pp. 81–85.

[62] See pp. 80–84.

presence of idolatrous artifacts—to the prohibition on planting Asheroth in Deut 16:21. As these commands relate to the entire land, the same should apply to the planting of Asheroth.[63] The rabbis, it seems, deduced this extension likewise, by a logical *hekesh* method, since I did not find any *midrash* on it, and from the context one observes that they too perceive the prohibition valid in their entire land. However, they employ *midrashic* methods to interpret this verse for other deductions. We read in *Sifre Deut, piska* 145, "The Torah says: 'Do not plant any wooden Asherah pole' (Deut 16:21), and in Deut 12:3 'burn their Asherah poles in the fire'; thus, [if one must burn them] it is evident by an *ad majorem* consideration that planting is forbidden, [hence, the command in Deut 16 is superfluous, and comes to teach us something additional.] It comes to teach us that one must not keep it [but destroy it] if it was planted."[64] The *midrash* uses both *ad majorem* and ריבוי "extension/enlargement" methods to deduce something that seems logically obvious, a conclusion that does not require any particular interpretive method to attain.

On the other hand, Qumran does not harmonize by a *hekesh*-type comparison commands relating to issues with similar but not identical characteristics, as we shall see below in a parallel example. Lev 19:28 commands, "Do not cut your bodies for the dead or put tattoo marks on yourselves. I am the Lord"; and in Deut 14:1 we read, "You are the children of the Lord your God. Do not cut yourselves or shave the front of your heads for the dead." Both rules apply to all Israelites. In Lev 21:5 we read similar rules for priests: "They [the priests] must not shave their heads or shave off the edges of their beards or cut their bodies." According to these clear rules, Israelites must not shave the front of their heads for the dead, but priests must not shave their (entire) heads. 11Q19 (11QTemple-a) XLVIII:7–8, in its commands relating to all Israelites, adheres literally to the scriptural text and states, "You are the sons of the Lord your God; you shall not cut yourselves or shave the front of your heads for the dead." Hence, the Israelites are forbidden only to shave their foreheads, as explicitly stated in Scripture. However, the rabbis,

[63] Exod 34:13 does not say this explicitly, but it is evident from the context that it relates to the entire territory of the conquered land. Deut 12:3 explicitly mentions "those places," and Deut 12:2 specifies "all the places on the high mountains, on the hills and under every spreading tree."

[64] *B. Abod. Zar.* 52a deduces from the same verse, by a *midrashic* method, that if an Israelite planted an Asherah, it must be put away and its wood cannot be used for another legitimate purpose; *b. Tamid* 28b deduces that one must not build any wooden structure in the inner Temple Court.

accustomed to the *midrashic* system, used a *gzerah shavah* and extended Lev 21's priestly prohibition on shaving the head to include all Israelites.[65]

Qumran did not practice this comparative harmonizing method in this case, because there is a flaw in the analogy. Although the issue of shaving the head as a sign of mourning is identical for the priests and for the laity, an extreme distinction exists, according to Qumran, between priests and Israelites; the latter are holy, but the priests are the holy of holies.[66] A comparison of commands relating to different groups, such as priests and Israelites, would be against God's intention, as indicated by the two distinct commands. The rabbis, on the other hand, were not eager to increase the distinction between priests and Israelites, though they were aware of the flaw in their comparison: the priests are subject to many (exclusive) precepts, and therefore the difference in the shaving prohibitions could be another one of these exclusive regulations, perhaps conceived deliberately by God. As discussed earlier, the rabbis were influenced by various considerations in their halakhic decisions and, consequently, in their mode of interpretation. It is difficult for me to affirm whether Qumran was equally influenced in their decision in this case by their quest to demonstrate and maintain in every respect the elevated priestly social rank, or whether they passionately believed in the cosmological difference between priests and Israelites and their halakhot were in this respect completely genuine in trying not to disarrange the divine categorization.

Qumran rules that do not seem to rely on a simple-sense understanding of a biblical source are probably based on well-grounded customs in Israelite society that were beyond any question.[67] In contrast to the

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[65] We read in *m. Mak.* 3:5, "One who shaves his head is liable [for punishment]." *B. Mak.* 20a, in its commentary on the *Mishnah*, states, "[In Lev 21:5, it is written] their heads. What does it come to teach us? [A. It comes to] to add that [the prohibition] relates to the head. Further, how do we know that this prohibition relates to all Israelites, not solely to the priests, who are subject to many [exclusive] precepts? [We deduce it from the following]: Here, [at the rule for priests,] the term קרחה is written and there [at the rule for Israelites, the identical] term is written; [hence], we collate [the two prohibitions]; as there, one is liable [for punishment] for every shaving, and for shaving the head as for the forefront, here too one is liable for every shaving, and for shaving the head as for the forefront."

[66] See the relevant citation and consequent prohibition of intermarriage between priests and women of the laity on p. 28 and n. 83.

[67] See Heger, *Cult*, 70–85, and particularly 84–85 on the Qumran Exegesis: the New Festivals, and the conjecture about their plausible roots in Israelite custom. The phylacteries found at Qumran were identical, both in their structure and in the main content of the inserted biblical lemmas, to the rabbinic rules, though there is no hint of these details

rabbis' multiple interpretive system, founded on the idea of Scripture's multi-vocal character, Qumran believed in a single correct interpretation and considered all others false and illegitimate. The fact that we do not encounter internal debates or disputes in Qumran literature, and that all rules are anonymously quoted, may be the result of this conception.[68] However, this authoritative rule affected only the halakhot, or rules of behavior, and not the style of writing; I therefore have some doubts about scholarly attempts to reveal a common style in all types of writings found in the Qumran Library, sectarian and non-sectarian alike. The desire to reveal a common style in the generic writings of the late Second Temple period, including those not found at Qumran, is even more puzzling.[69]

2.3. Rabbinic and Qumranic Styles of Justifying Halakhot

Although the literary styles of the rabbinic *Midrashei Halakhah* and the *Gemara* are different, the explanation or justification they use is always associated with citations from biblical texts. In the *Gemara*, the Amoraim attempt to reveal, by the assumed applied exegesis, biblical support for the *Mishnah's* legal rules; in the *Midrashei Halakhah*, the biblical verses are interpreted by explicitly applying the exegetical rules.[70] The question

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in the relevant scriptural command (Deut 6:8): see Yigael Yadin, *Tefillin from Qumran (XQPhyl 1–4)* (Jerusalem: Ha-ḥevrah le-ḥakirat Erets-yisrael ve-ʾatikoteha, 1969). On a similar topic, Weiss Halivni, *Midrash, Mishna*, 31–32, writes that the origin of that particular law was "an early written Halakhic tradition."

[68] Cf. Shemesh and Werman, "Halakhah," 129, who posit another explanation for this distinction.

[69] See Steven D. Fraade, "Rewritten Bible and Rabbinic Midrash as Commentary," in *Current Trends in the Study of Midrash* (ed. Carol Bakhos; Leiden: Brill, 2006), 59–78 at 61–62, on this issue.

[70] The *Mishnah* does not divulge the biblical support for its rules. Adiel Schremer, "'[T]he[y] Did Not Read in the Sealed Book': Qumran Halakhic Revolution and the Emergence of Torah Study in Second Temple Judaism," in *Historical Perspectives from the Hasmoneans to Bar Kokhba in Light of the Dead Sea Scrolls* (ed. David Goodblatt, Avital Pinnick, and Daniel R. Schwartz; Leiden: Brill, 2001), 105–126 at 116–117, writes that "in those days [before 70 CE] halakhic decisions were not derived from Scripture" and that "in the period when these rules were given, the appeal to Scripture was simply uncommon," as well as mentioning "the minor role played by the text of the Torah in halakhic contexts in those remote days." I would hesitate to make such drastic statements; I would suggest, rather, that although the biblical source is not indicated, it was indeed the foundation of the halakhah. In Heger, *Pluralistic*, 130–131, I indicate that the Tannaim, the creators of the *Mishnah*, derived their halakhic decision from biblical sources but "had complete

מנא הני מילי "wherefrom do we know it?" is the common starting point of the *Gemara* on a *Mishnah* rule, followed by citation of the relevant biblical verse—sometimes without any further discussion, but often explained by extended and complex exegesis. It is remarkable that the *Gemara* sometimes asks for the biblical source of rules that seem logical and self-evident, and do not require a biblical command. For example, *m. Tamid* 1:1 records that the priests guard the Temple on three sites. Though it is not clear whether the *Mishnah* quotes this as a command or records is as a historical fact, the *Gemara* asks Wherefrom do we know this, that is, where is it written in Scripture that one has to guard the Temple? Even for such a logical requirement, the rabbis attempt to reveal a scriptural command.

In contrast, Qumran literature does not habitually quote biblical support for their halakhot, even when they refer to it (using the terms כתוב or אמר, without citing it). Fraade wonders about this;[71] I understand it as a logical consequence of their interpretive method. The text of Qumran's halakhot does not consist of inexact, paraphrased biblical citations, as Fraade suggests;[72] Qumran used biblical-type language solely in trans-

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confidence in their knowledge, their understanding of the Torah's ultimate intention, and the correctness of their decisions, and therefore did not consider it essential to divulge any justifications for their opinions." From this perspective, their method is comparable to that used by Qumran to reach their halakhic decisions and in their manner of transmission, and to Maimonides' method in compiling the first well-arranged classified legal codex, the *Mishne Torah*, which was founded on the rabbinic halakhic literature, without any indication of the sources of each halakhah. For an extensive study of the *amoraic* and *mishnaic* style on this issue, see the subject index of *Pluralistic Halakhah*, 413, under the heading "Tannaim and Amoraim," subheading "attribution of justifications to tannaitic halakhah."

[71] Fraade, "Legal Midrash," 69. Kister, "A Common Heritage," 101–111 at 106, similarly wonders that "we only find scattered examples of explicit interpretation of verses of the Law" in the writings of Qumran, a community "deeply engaged in interpretation of the Pentateuch." The significance of the Torah in Qumran is further corroborated by Kister's argument (at 102) that "many interpretations of explicit quotations of the Hebrew Bible are found in Qumran, but scarcely of any other work." I can understand his amazement, but I cannot agree to his proposition (at 107) that a "gradual disengagement from the biblical world is manifested in Qumran by the emergence of the *pesher* literature." This statement seems to me incompatible with Kister's assertions about the Torah's centrality, cited above, and patently against the unequivocal facts: at best, I would consider Kister's assumption enigmatic, since I am at loss to comprehend his real conception and to fathom the impact of the *pesher* literature on disengagement from the biblical world.

[72] Fraade, "Legal Midrash," 60.

mitting their halakhot.[73] Since they adhered in their interpretation to the simple meaning of familiar texts, whose understanding seemed evident to them, they assumed the same to be true of their opponents.[74] Therefore, citing the relevant biblical verses seemed to them superfluous, even in their polemic 4QMMT writing.[75] Likewise, we must understand the phrases אנו חושבים/אומרים "we think/say" without any further indication or explanation of a biblical source. These phrases are used when the halakhah is not clearly evident from the biblical text; by this expression, the authors implicitly declare that they think this is what Scripture intends to say, without applying complex *midrashic* exegetical techniques. For example, the phrase "we say" with respect to the *Nitzoq* in 4Q394 frg. IV: 5 cannot be explicitly deduced from the biblical text. This particular issue is really not a matter of law but a matter of fact—that is, whether the creation of a connection between two liquids of the same type depends on their viscosity, and to what degree.[76]

The *Gemara* never asks, How do we know that one must not work on the Sabbath? Or, How do we know that one is obligated to dwell in a booth on Sukkot? The relevant biblical verses for these principles are

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[73] Timothy H. Lim, "The Chronology of the Flood Story in a Qumran Text (4Q252)," *JJS* 43, 2 (1992): 288–298 at 289, writes, "There is no straightforward way of distinguishing between a quotation and a rewriting of the biblical verse." Moshe J. Bernstein, "4Q252 I 2 לא ידור רוחי באדם לעולם: Biblical Text or Biblical Interpretation? (1)," *RevQ* 16, 3 (1994): 421–427 at 421, defines the question in another way: "when is the reflection of a biblical text which does not conform to MT, and which appears as a ⟨non-textual source⟩, to be viewed as a variant text, and when may treate it as a paraphrastic interpretation of an underlying text which may have resembled MT?"

[74] Fraade, "Narrative Midrash," 64, meditates that the different forms of qumranic and rabbinic writings may be due to the distinct character of their intended audiences. Robert A. Kugler, "Hearing 4Q225: A Case Study in Reconstructing the Religious Imagination of the Qumran Community," *DSD* 10, 1 (2003): 81–103 at 84, is more specific, writing that "in such oral-literate contexts people [in this case, the people of Qumran] have more than a vague acquaintance with their Scripture." Moshe J. Bernstein, "The Employment and Interpretation of Scripture in 4QMMT," in *Reading 4QMMT* (ed. J. Kampen and M. Bernstein; Atlanta: Scholars Press, 1996) 29–51 at 43, writes, "The author of MMT believes that the correct interpretation of the biblical text" corresponds to their halakhah regarding the rules of the leper in the MMT, in which the expression כתוב appears.

[75] Bernstein, "Pentateuchal Interpretation," 143, writes of some rules in MMT that "it is clear that these laws are based on Lev 19:23 and 27:32 respectively." But he does not go the last mile to apply this insight generally in all instances in which Qumran rules are not justified by quotation of the biblical source.

[76] See Heger, *Cult*, 277–278.

well known, and do not require citation. In contrast, determining what specific works are prohibited on the Sabbath, or what are the rules for building the booth, requires the revelation of the biblical source(s), and hence requires appropriate interpretation. One can compare Qumran's attitude to that of the Tannaim, and that of the rabbis to the Amoraim, as I have stated elsewhere: "The Tannaim had complete confidence in their knowledge, their understanding of the Torah's ultimate intention, and the correctness of their decisions, and therefore did not consider it essential to divulge any justifications for their opinions.[77] The Amoraim lacked such confidence and deemed it essential to validate their declarations with appropriate biblical support."[78]

Even where the vagueness of or lacunae in the scriptural text required some compounded form of exegesis, the Qumranic method of interpretation relied on simple, logical consideration, incomparable to the rabbinic exegetical method founded on the renowned *Middot*.[79] For example, in the prohibition on marrying a niece (CD-A V:10), for which there is no forthright rule in Scripture, the author demonstrates first the obvious fact that Scripture equates man and woman with respect to prohibiting incest, and then presents the consequence: "[Though] the law of prohibited marriages is written for males, it applies equally to females."[80] Likewise, the justification for the prohibition of polygamy in CD-A IV:21–V:1 refers first to the cosmological reality, as recorded in Scripture—"the principle of creation is one man and one woman"[81]—

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[77] J. Neusner, *A History of the Mishnaic Law of Purities*, part 21: *The Redaction and Formulation of the Order of Purities in Mishnah and Tosefta* (SJLA 6.21; Leiden: Brill, 1977), 312, writes, "our Order [of the *Mishnah*] is remarkably uninterested in Scriptural proofs for its propositions." He asserts that the *Mishnaic* writings were used for "the transmission of teachings on behalf of which is claimed divine revelation." I perceive them, rather, as reflecting the Sages' understanding of the Torah's ultimate intention, and not as the transmission of a particular revelation.

[78] Heger, *Pluralistic*, 130–131.

[79] Vermes, "Bible Interpretation," 185–187, writes that the various Qumran forms of readings, such as grouping, harmonizing, or recasting texts, should be perceived as simple-sense interpretation. In this case, if categorization is at all necessary or helpful, I prefer Milgrom's term "homogenization."

[80] It is worth noticing that the Karaites, who opposed the rabbinic type of exegesis of the Oral Torah and followed the biblical text meticulously, also prohibited marriage with a niece. Nathan Shur, *The History of the Karaites* (Hebrew; Jerusalem: Mossad Bialik, 2003), 44.

[81] It is remarkable that Jesus cited the same scriptural verse to justify opposing divorce: see Matt 19:4 and Mark 10:6–12.

then confirms it again by means of the divine instruction to save one male and one female in Gen 7:9: "two by two went into the ark male and female."[82]

At this stage I will add just one more example: the Qumranic prohibition of intermarriage between priests and lay Israelites in 4Q397 (4QMMTd) frg. 6–13, 12–14.[83] Qumran scholars claimed first, by logical comparison, that the biblical prohibitions of כלאים and שעטנז, against mixing wool and flax in garments, mating different species of animals, and sowing different plant species together, relates equally to all types of mixed unions, including those between humans of distinct genealogies. Just as there are inborn, divinely created divisions between individual species of animals and plants, Israelites and priests, Aaron's descendants, also belong to distinct cosmological categories, of differing degrees of holiness. The Israelites are holy, but the priests are the most holy; being of different classifications, the two are forbidden to intermarry, just as mixing different species of animals and plants is forbidden.[84]

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[82] Joseph M. Baumgarten discusses these rules in *DJD* 18: 11–13, particularly regarding their broad classification, without elaborating on the exegetical method by which they were derived.

[83] We read there, "And concerning the fornication carried out in the midst of the people; they are members of … holiness, as is written: 'Holy is Israel.' And concerning the pure animal, it is written that he shall not let two species mate; and concerning clothing, that no materials are to be mixed; and he will not sow his field or his vineyard with two species because they are holy. But the sons of Aaron are the holiest of the holy" (reconstructed from García Martínez and Tigchelaar, *Dead Sea Scrolls Study Edition*). This passage refers to the commands in Lev 19:19 and Deut 22:9–11. See also Paul Heger, "Qumranic Marriage Prohibitions and Rabbinic Equivalents," *RevQ* 95/24, 3 (2010): 441–451 at 441–446, on this issue. On the meaning of the term זנה used in Qumran literature, and the issue of whether the illegal marriages in this lemma are intermarriages between priests and lay Israelites or between Jews and Gentiles, see Robert A. Kugler, "Halakhic Interpretive Strategies at Qumran," in *Legal Texts and Legal Issues: Proceedings of the Second Meeting of the International Organization for Qumran Studies, Cambridge, 1995: Published in Honour of Joseph M. Baumgarten* (ed. M. Bernstein et al.; Leiden: Brill, 1997), 131–140, who quotes a number of scholarly debates on the second issue. See also Bernstein, "Employment and Interpretation," 45–46.

[84] Bernstein, "Interpreter of the Law," 381, would classify this approach as "specification and atomization" and compare it to the *pesher* exegesis. I would instead consider the extension of the prohibition on mating different animals and sowing different plants together to include all kinds of living entities a logical reflection, like the rabbinic extension of the prohibition on cooking a kid in its mother's milk to all animals, discussed in this study (Excursus II, p. 96) As I note there, the rabbis did not use a *midrashic* exegetical method but, rather, applied the logical principle that the Torah used the term "kid" because it is the most common. Similar is the extension obligating the person who opens a pit to compensate the owner of any animal that falls in and perishes, even though Scripture (Exod 21–22) mentions only an ox and a donkey (see p. 32). I also

In conclusion, the absence of biblical verses in texts devoted to halakhic reasoning and polemics is meant to demonstrate the obviousness of the interpretation of the relevant biblical verse, apprehended by the Qumran authors' erudite audience; therefore there was no need to divulge the biblical source or its method of interpretation. The connection between the biblical verse and its interpretation is evident—or, at least, it seemed evident to the Qumran authors. Only where their halakhah does not seem perfectly clear in the biblical text did they add an explanation, or an explicit exegesis, as G. Brooke perceives it.[85] On the other hand, the *midrash*, used by the rabbis—which introduces complex rules and methods of interpretation—*must* be associated with specific biblical verses, since otherwise one would not be able to connect the halakhah with the relevant verses.[86]

In contraposition to the above thesis about the Qumran and rabbinic literary styles with respect to justifying their pronouncements, A. Shemesh and C. Werman offer a different explanation.[87] They suggest that two different genres of halakhic writing were practiced in Qumran, one directed to the members of their own community and the other, of polemic character, addressed to their opponents. The first did not require any justification, being presented to those who *a priori* accepted the correctness of the imparted halakhot, received by revelation by their leaders; but in the second—conveyed to outsiders, who would not believe the revelatory source of Qumran's halakhot—justification was a must. I dispute this explanation, because the MMT, acknowledged by Shemesh and Werman as a polemic document, does not reveal the exegetical process allegedly used to convince Qumran's opponents of the correctness of the authors' interpretation. The expressions כתוב, אמר, אנו חושבים/אומרים and other expressions mentioned above, with or without citation of the rele-

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dispute Bernstein's comparison of that exegetical method to the *pesher* type of exegesis; as I discuss on pp. 50–54, *pesher* is not an interpretation of the text but a special genre, which cannot be applied to legal or narrative exegesis.

[85] Brooke, "4Q252 Early Commentary," 398, perceives implicit and explicit exegesis in Qumran literature. His suggestion for the differing applications is the following: the implicit exegesis "is likely to have been intended or to reflect what may have been more widely acceptable or accepted than the more particularist explicit exegesis." Thus his suggestion is, broadly speaking, similar to my hypothesis in this respect. I disagree with Brooke, however, regarding his developmental concept of a shift from implicit to explicit exegesis. I perceive the two methods as co-existing but as applied according to their functional suitability.

[86] See the example of the priestly *menahot* rule in Heger, *Cult*, 62–70.

[87] Shemesh and Werman, "Halakhah."

vant biblical verses but with no indication of the exegetical process that led to their interpretation, are not convincing evidence for outsiders, who contested these interpretations, as is evident from the context. The author of MMT, like the authors of other Qumranic halakhic writings, believed that since their interpretation was patently clear to themselves, it must be so to everyone. Fanatical believers of any periods, as the Qumran leaders and their followers were, have no doubts of the correctness of their vision and are unable to conceive that other people do not perceive it equally. This absolute belief in the correctness of their opinions, both halakhic and doctrinal, as conveyed to them by their leaders, granted them the inner strength to withstand the utmost suffering for their faith, up to the ultimate sacrifice, and at the same time reinforced the repulsion and hatred they felt for their opponents. Shemesh and Werman's explanation may rationalize the MMT's lack of reliance on revelation for the correctness of its halakhot, but it does not address the weakness of their proposition regarding the proffered justification, as indicated above. Further, as I have argued elsewhere, I believe that revelation is relevant in Qumran only with respect to esoteric matters, and that the disclosure of correct halakhot is not, in essence, due to revelation.[88] 4Q265 corroborates this thesis; the many halakhic instructions in frgs. 3–7, some relevant to members of the group exclusively and others to all Israelites, are cited with no indication of the biblical source, whereas the esoteric promise of frg. 1, citing Isa 52:1–2, introduces its interpretive actualization with the terms כתוב "as is written" and פשרו "its interpretation concerns."[89]

2.4. Style and Structure of Narratives in Qumran and Rabbinic Literatures

Just as there are structural and stylistic difference between rabbinic and Qumran to legal/halakhic interpretations, I perceive identical distinctive characteristics between their respective narrative texts. There is also a marked difference between the small quantity of narratives in Qumran and the abundant rabbinic narrative *midrashim*. I emphasize the

[88] Heger, "Development of Qumran Law," 168–186.

[89] Joseh M. Baumgarten, "Scripture and Law in 4Q265," in *Biblical Perspectives*: *Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls* (ed. Michael Stone and Esther Chazon; Leiden: Brill, 1998) 25–33 at 25, writes, "4Q265 stands apart through the remarkable diverse character of its contents and the multiple literary genres which are represented among its fragments."

attributes of narratives, in contrast to Fraade's term "non-legal," because *pesher* literature (which I address later in this chapter; see pp. 50–55) is a type of non-legal composition but not a narrative type.

A comparison of an excerpt from a Qumran narrative, such as a section from 4Q225, with the rabbinic *midrashic* parallel demonstrates the structural and developmental distinctions and the typical differences between the two approaches—similar, in essence, to the differences between the two with respect to halakhic issues.[90] We read in 4Q225, frg. 2 I:9–10, "and the Prince of Mastema (Animosity) came to God and accused Abraham with regard to Isaac." There is no connection to a biblical verse, and no specific information about what the Prince of Mastema said to God. The author of the narrative simply indicates, in short, the motive for God's command to Abraham to sacrifice Isaac, but leaves us in limbo about Mastema's argument. In *Jub*. 17:16 we encounter a more elaborate narrative that offers a logical explanation for God's decision to test Abraham's faithfulness, and here we read, "And the prince Mastema came and said before God, 'Behold, Abraham loves Isaac his son, and he delights in him above all things else; bid him offer him as a burnt-offering on the altar, and Thou wilt see if he will do this command, and Thou wilt know if he is faithful in everything wherein Thou dost try him.'"[91] But here too there is no connection to a biblical verse, though it is evident that the author attempts to explain the divine decision to test Abraham's fidelity, which seems incomprehensible in view of God's extraordinary relationship with him, amply portrayed in Scripture; the author adds a motive, Mastema's argument. On the other hand, he does not inform us about what motivation incited the Prince of Mastema to accuse Abraham.

The same tale appears in *b. Sanh*. 89b, which reveals this missing element for the presentation of a perfect story: "[It is written in Gen 22:1] And it came to pass after these things, that God did tempt Abraham [KJV translation]. [Question] After which things? Said Rabbi Johanan in the name of Rabbi Jose ben Zimra: After the words of Satan, as it is written (Gen 21:8) and the child grew and was weaned, etc., Satan charged before

[90] It seems to me that the reservations regarding comparisons expressed by Doering, "Parallels," 28–29, on the congruence of rabbinic and Qumran writings and by Y. Elman, "Some Remarks on 4QMMT and Rabbinic Tradition: Or, When Is a Parallel not a Parallel?" in *Reading 4QMMT* (ed. J. Kampen and M. Bernstein; Atlanta: Scholars Press, 1996), 99–128, do not affect our particular narrative.

[91] Although 4Q225 is also considered to be a fragment from *Jub*., the version in 4Q225 may have been an earlier version. At any rate, they demonstrate the existence of different versions.

the Holy, blessed be He: Master of the world, you graced with favour this old man, granting him a fruit of the womb at the age of hundred years, [but] from the feast he celebrated, he did not deem it proper to offer you one dove or one chick. God answered him: [though he has done everything for his son, if I tell him to slaughter his son before me, he would do it immediately, [and that what is written,] and God tempted Abraham."

We have here a full-fledged literary narrative, with all its elements, in its last developmental stage.[92] This is the nature of oral stories—they grow by the accretion of narrators—and we have such models in rabbinic literature.[93] In contrast to the narratives in 4Q225 and in *Jubilees*, the rabbinic narrative begins and ends with a biblical verse; it is intrinsically associated with this biblical text, and its explicit purpose is to solve the apparently superfluous or vague phrase "after these things." It constitutes a *midrash*, a creative interpretation of a biblical verse, founded on external sources and considerations. The same narrative in 4Q225 and *Jub*. does not demonstrate this character; there is no endeavour to reveal, by a rabbinic type of *Midrash Aggadah*, a biblical source or an explicit connection to such a source. Similar in character are other narratives, such as 1QapGen^{ar} and 4Q252, that add details not found in Scripture.

Another parallel narrative in rabbinic and Qumran literature also serves to illuminate the distinctions between the two. We read in 4Q252 II:5–7, "And Noah awoke from the wine and he knew what his youngest son had done. And he said: 'Cursed be Canaan; he will be for his brothers, a slave of slaves.' But he did not curse Ham, but only his son, for God has blessed the sons of Noah." The smooth and fluent integration of biblical and non-biblical sections in the text as a whole demonstrates, it seems to me, that the biblical segments of the composition became integral elements of their narrative; the lemma is neither a "rewritten

[92] In fact, the narrative of the *Aqedah* developed even further by accretion. We read in *Pirqe R. El.* (ed. Higer), *parsha* 30, "[It is written in Gen 22: Abraham looked up and saw the place] What did he see? [He saw] a column of fire from the earth until heaven, and understood that the sacrifice of the youngster (Isaac) was received [by God] as an impeccable burnt offering." See Florentino García Martínez, "The Sacrifice of Isaac in 4Q225," in *The Sacrifice of Isaac: The Aqedah (Genesis 22) and Its Interpretations* (ed. Ed Noort and Eibert J.C. Tigchelaar; Leiden: Brill, 2002), 44–57 at 51–52, on whether one can read this detail in the reconstructed text of 4Q 225 II:1.

[93] The renowned story of the Akhnai hearth, which started with a vague indication in the *Mishnah* of a dispute between the Sages, grew by accretion in the Tosefta, Jerusalem Talmud, and became an extraordinary, ideologically significant, and fully developed literary narrative in its latest stage in *b. B. Bez*. 59b.

Bible" version nor a commentary on the scriptural text.[94] The biblical elements cited are not an introduction or a conclusion to a commentary, nor do they serve as support for the composition; the writing constitutes a self-contained composition for a particular purpose or public, created on the basis of biblical records. While the concise Qumran style attests its usual literary structure, the parallel rabbinic *midrash* equally indicates its particular structure. We read in *Gen. Rab. parsha* 36 / 7, "And Noah awoke from the wine, [meaning] he freed himself from the wine's impact, and he knew what his youngest [meaning] his unfit son had done; as is written: 'because the bronze altar was too small [meaning] unfit to hold the burnt offerings, the grain offerings and the fat of the fellowship offerings'" (1 Kgs 8:64). We observe the common structure of the rabbinic *midrash*: (a) the citation of the biblical verse, followed by its exegesis, and (b) the justification of the exegesis by the citation of another biblical verse. Thus, we observe the distinct literary styles of the narratives in the two corpora.

Two observations are noteworthy. First, though the rabbinic *midrash* distinctly separates the biblical text from the exegesis and emphasizes it, as we observe in their introductory phrase "that is what is written," the text does not conform exactly with the MT; it seems that the phrase "before the Lord" (in 1 Kgs) was left out, to avoid mentioning the Lord's name in vain. The second point is a problem that the *midrash* attempts to solve, whereas Qumran may have ignored it. In fact, the solution proffered in 4Q252 to the dilemma of why Noah cursed Canaan instead of Ham, the real malefactor, is identical to one of the rabbinic answers, but the problem is not entirely solved by the pretext that Ham had been blessed by God and therefore could not be cursed. Scripture declares explicitly that "he knew what his youngest son had done," and this statement cannot relate to Ham; the common order of Noah's sons given in Scripture, and particularly in Gen 6:10 (which relates to their birth), is Shem, Ham, and Japheth; this would normally indicate the sequence of their birth, but from Gen 10:21, it would appear that Japheth was the

[94] 4Q364, labeled "Reworked Pentateuch," offers a better example of an integrated text, in which the biblical phrases become elements of the author's composition; we do not know the purpose of this text, but it is evident that the author's sentences are not an interpretation of the preceding biblical verses. Bernstein, "Pentateuchal Interpretation," 133–134, quotes from H. Attridge et al., eds., *Qumran Cave 4.VIII* (DJD 13; Oxford: Clarendon Press, 1994): "The Reworked Pentateuch (4Q364–367) texts stand on the unclearly marked border between biblical texts and biblical interpretation." But Bernstein refers to the author's text as "substantial additions to the biblical text," siding rather with my proposition.

eldest.[95] It is true that the syntax of this verse is not clear, and some traditional commentators suggest interpreting it as meaning that Shem was the eldest, corresponding to the order of their genealogy in Gen 5:32 and 6:10, as does a *midrash* in *b. Sanh*. 69b.[96] At any rate, Ham was not Noah's youngest son, and hence the expression "his youngest son" does not conform with the record of Gen 9:22 that Ham was the culprit. 4Q252 ignores this inconsistency. It is possible that Qumran scholars consciously did not attempt to reveal and resolve apparent biblical inconsistencies, as I have suggested elsewhere, because of their ideologically founded axiom that there could be no inconsistencies in God's words, but there are also other contingencies, of which I would mention one: they may have relied on the axiom "sons of sons are perceived as sons," and thus concluded that there is no contradiction.[97]

The rabbis, in contrast, perceived the apparent imprecision of the text, and the seeming theodicy; following their habitual *midrashic* structure, *Gen. Rab. parsha* 36 / 7 first cites the biblical verse: "And he said: 'cursed be Canaan; he will be for his brothers, a slave of slaves,' [asking:] Ham sinned and Canaan was cursed, I wonder? Rabbi Judah and Rabbi Nehemiah disputed [about the solution of the dilemma]. Rabbi Judah said: because it is written: 'Then God blessed Noah and his sons (Gen 9:1),' and there could be no curse on whom God blessed, therefore [it is written]: he said: 'cursed be Canaan.' Rabbi Nehemiah said: Canaan saw [Noah's embarrassing condition] and alerted the others, [he instigated the misdeed, was guilty and worthy of punishment] and [he was cursed, not his associate in the conspiracy] therefore [because] one attaches the curse to a cursed (person)."[98]

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[95] We read there, "Sons were also born to Shem, whose elder brother was Japheth." The LXX and the KJV also interpret this as meaning that Japheth was the eldest.

[96] We read there, "[It is written in Gen 5:32] 'after Noah was five hundred years old, he became the father of Shem, Ham and Japheth.' Shem was one year older than Ham and Ham was one year elder than Japheth, hence Shem was two years older than Japheth."

[97] This is a rabbinic maxim (*t. Yeb*. 8:4), but it is plausible that it was a universal aphorism or that Qumran deduced it from the apparent contradiction between 2 Kgs 8:18, in which it is written that Jehoram married Ahab's daughter, and 8:26, in which it appears that Athaliah, his wife, was Omri's daughter. Traditional commentators reconciled this contradiction by means of the maxim that grandchildren are like children.

[98] There are some problems with the last phrase of the text; the Hebrew term לפיכך "therefore" does not seem to me appropriate in the context, and I replaced it by "because." Further, the justification for cursing Canaan is equally vague, since we do not know that he was cursed before, as the text seems to convey; therefore we encounter another MS that reads מקולקל "corrupt" instead of מקולל "cursed" in the main MS.

The distinction between the rabbinic and Qumran narratives is evident from their different literary styles with respect to the division between the biblical verse and the commentary and the citation of biblical verses in justification of their narratives, as described above. 4Q252 does not cite any biblical verse to support its statement that Noah and his sons were blessed by God; doing so is considered superfluous, since the readers know this, as I have argued with respect Qumran's style of halakhic interpretation. In contrast, the rabbinic narrative *midrash* quotes the supporting verse(s), just as the halakhic *midrash* does. Rabbi Nehemiah's explanation, though founded on an apparent logical contingency, is devoid of any foundation in the text; it is definitely the product of his imagination, for which, as it seems, he could not even devise any scriptural support, as the rabbis habitually did. I speculate that his explanation was, in his period, an aphorism that he used as support for his imaginative idea.

Qumran does not cite supporting biblical evidence for the additional details of their narratives (*aggadah*) because these details do not exist in the biblical text and cannot be deduced by simple interpretation or by logical consideration.[99] The authors are aware that these details are the outcome of human imagination, and they do not attempt to reveal illusory biblical support.[100] They record imaginative human creations

[99] Bernstein, "4Q252 Re-written," 13, confirms the remarkable extent of Qumran's simple exegesis, asserting that "the author of 4Q252 is willing to explain the [biblical] text straightforwardly on the principle that events in the Torah are not always narrated chronologically." I do not agree with Bernstein, "Pentateuchal Interpretation," 135, who perceives *Jubilees* and 1QapGen as "works which interpret substantial segments of the Pentateuch." These writings do not interpret or explain the text; rather, they are autonomous writings, founded on biblical texts interpreted by the author and on other sources and ideologies, in which some details of biblical narratives have been added; some are ideologically stimulated, and others are imaginative literary innovations supplementing historical events. They clarify some segments of the Pentateuch, as Bernstein states, but this is not their main purpose or function. Moreover, there is a marked difference between *Jub*. and 1QapGen: the first is a complex multi-ramified composition, whereas the second consists of a narrative in which biblical events are supplemented by imaginative details to present a livelier version of the story. On the other hand, for example, the addition of the days of the week in 4Q252 can be deduced by logical consideration of their calendar and may be perceived as interpretation or commentary, as it was labeled. In "4Q252 Re-written," 2, Bernstein seems to be more cautious; there he writes that "works as *Jubilees* or the *Genesis Apocryphon* often present inferential simple sense interpretation to their reader." I do not disagree with Bernstein that this statement concurs with the character of these writings in some instances, but in other cases they present details that must be considered as *eisegeses*, having no integral association with the relevant biblical texts.

[100] The explanation in 4Q252 II:6–7 of Noah's cursing Canaan instead of his son Ham, who behaved wickedly against him, is not the product of human imagination but of a

only sparingly in their narratives and disdain such practices altogether in discussing halakhic issues. In the latter case they vehemently oppose the use of human imagination because, in their opinion, it falsifies the divine command, thought they assent to it with respect to the innocuous *aggadot*. On the other hand, their general lack of enthusiasm for imaginative creations can be deduced from (a) the scarcity of such literature in their library,[101] considering the bulk of such narratives in circulation in Judah,[102] and (b) the lack of defined sectarian writings in Aramaic, the language used for communication with the masses.[103] These facts should not be overlooked as at least evidence *ex silentio*. The almost exclusive use of Aramaic, the language of the masses, for this type of literature, as opposed to the exclusive use of Hebrew for important ideological, halakhic, and worship literature, should also serve to indicate Qumran's attitude toward the *aggadic* writings, which were not composed by Qumran scholars:[104] they did not oppose such writings, but

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logical consideration. Though this explanation and the story of a slanderous action by the provocateur Mastema in 4Q225 frg. 2 I:9–10, in *Jub*., and in *b. Sotah*, cited above, seem to have been stimulated by a desire to rationalize dilemmas, an essential distinction exists between the two solutions offered. The proposed solution to the apparent misdirection of Noah's curse is the product of a logical contextual consideration of two explicit narratives, whereas the emergence of a purported provocateur in the character of Mastema is an entirely freely devised episode, not supported by even the slightest hint in the text.

[101] Devorah Dimant, "The Qumran Manuscripts," in *Time to Prepare the Way in the Wilderness: Papers on the Qumran Scrolls* (ed. Devorah Dimant and Lawrence H. Schiffman; Leiden: Brill, 1995), 23–58, uses the designation "Library" for all the writings found at Qumran, referring to its use by J.T. Milik, *Ten Years of Discovery in the Wilderness of Judah* (London, 1959), and F.M. Cross, *The Ancient Library of Qumran and Modern Biblical Studies* (repr. Garden City, 1980).

[102] See the narrative *midrashim* (written in Greek) collected by the Hellenistic Jewish historians between the mid-third and first centuries BCE, whose fragments were collected by Eusebius, in Carl R. Holladay, *Fragments from Hellenistic Jewish Authors* (Chico, CA: Scholars Press, 1983). These historians did not create the *midrashim* but, rather, collected them orally from the public or from writings; since we have only fragments, the implication is that there were many more in circulation at that time.

[103] See Paul Heger, "Enoch—Complementary or Alternative to Mosaic Torah?" *JSJ* 41 (2010): 29–62 at 43–44, and especially n. 53, for an extended study on this issue.

[104] The description of the person who came to tell Abraham about the capture of Lot in *Genesis Apocryphon* does not represent a Qumran exegetical method of "specification," as Bernstein contends in "Interpreter of the Law," 381; this and similar *midrashim* created by popular "preachers" circulated among the Jewish public, and, as noted above, only a small number of such narratives were found at Qumran. Joseph A. Fitzmyer, *The Genesis Apocryphon of Qumran Cave I. A Commentary* (Rome: Pontifical Biblical Institute, 1966), states at 10–11 that the Gen Apo is not a sectarian writing, and at 8 that it is of a *midrashic* genre or a prototype of *midrash*.

did not foster them. The *Book of Jubilees* is, from this perspective, of a different genre than 1QapGen; in addition to its narrative sections, it includes many halakhot, such as the performance of precepts by the Patriarchs, supposedly missing in Scripture, and it is written in Hebrew.

The fact that the rabbinic collections known as *Midrashei Aggadah* were finally recorded as running commentary cannot serve as evidence that they were initially conceived as such, as is the *opinio communis*;[105] they may have developed individually, over an extended period, by a slow accretion, and then been compiled by an editor into a single collection and attached to the relevant biblical verses in order.[106] Therefore, I do perceive a possible continuity, albeit indirect, between Qumran and rabbinic *aggadic* literature, in which Qumran is obviously antecedent; we have seen, for example, that the narrative of Mastema's instigation against Abraham and the explanation of Canaan's curse appears both in Qumran writings and in rabbinic *Midrash*.[107]

However, all *Midrashei Aggadah* demonstrate the same traits, distinct from the Qumran style and equivalent to those prevailing in the interpretation of halakhic commands: (a) they are presented as exegetical explanations, complementing the biblical verses, despite being in fact *eisegeses*, presenting the author's imaginative creations of which there is no hint in the relevant verse; (b) different supplementary details or identifications are allegedly deduced from the same biblical verse; and (c) the same homily is deduced from different biblical verses. I have adequately substantiated the first proposition, and I will cite support for the second from two different identifications in *Gen. Rab*. deduced by interpretation of Ps 37:14. In the latter we read, "The wicked draw the sword

[105] Fraade, "Narrative Midrash," 47, writes that "these [narrative] *Midrashim* take the structural form of running commentary."

[106] See above on the plausible accretion of the narrative about Mastema's malicious intervention against Abraham. Bernstein, "Pentateuchal Interpretation," 145, writes of *Gen Apo* that "it is very likely not a work composed as a whole *ab initio*, but consists of parts, probably deriving from other pre-existing works." This circumstance is valid also for similar rabbinic *Midrashim*.

[107] Brooke, "4Q252 Early Commentary," 309, mentions "some direct correspondence with much later rabbinic texts … because it risks historical anachronism … because it is problematic to suggest that there is some kind of continuity between Qumran and rabbinic exegetical texts." I disagree with his assertion that "it is problematic to suggest some continuity between Qumran and rabbinic exegesis"; there is no anachronism, as Brooke alleges, if, as is evident, the narrative was already known in the Qumran period and was continually memorized or written in different documents until edited in rabbinic literature as a running commentary.

and bend the bow to bring down the poor and needy, to slay those whose ways are upright." In *parsha* 22, "the wicked draw the sword and bend the bow" is identified as referring to Cain, and "to bring down the poor and needy, to slay those whose ways are upright," to Abel. In *parsha* 42, "the wicked draw the sword and bend the bow" is identified as referring to Amraphel (Gen 14), "to bring down the poor and needy" to Lot, and "to slay those whose ways are upright" to Abraham. The substantiation of the third feature is attestable from *Gen. Rab. parsha* 43. Three different Patriarchs and the relevant biblical verses are indicated by three rabbis to answer the question, To whom should one express gratitude for the Israelites' privilege of priestly blessing? Rabbi Judah says that thanks are due to Abraham, since it is written כה "So shall your offspring be," and in Num 6:23, כה "So how you [Aaron and his sons, the priests,] are to bless the Israelites." The identical term כה appears in two entirely unconnected contexts but is employed as support in the rabbinic *midrash* in three different homilies. Rabbi Nehemiah says that thanks are due to Isaac, since the term כה appears in Gen 22:5 (though Abraham says it, not Isaac). The Sages say that thanks are due to Jacob, since the term כה appears in relation to Jacob (actually to the House of Jacob) in Exod 19:3.

The unequivocally distinct literary styles used by Qumran and by the rabbis in both halakhot and narratives substantiates the thesis that their fundamental approaches and the interpretive methods they applied to Scripture are distinct. A simple-sense interpretation of the text, as practiced by Qumran, does not require justification by citing scriptural sources, even in polemic confrontations, in contrast to the complex rabbinic interpretations, which lack explicit connections to scriptural sources. Similarly, the fact that Qumran writings refrain from citing a scriptural source for imaginative narratives substantiates the proposition that when Qumran authors refer to Scripture in a halakhic decision without citing the relevant source, they believe that their decision agrees self-evidently and unequivocally with a familiar scriptural ordinance; this demonstrates their fundamental theology.

2.5. The Particular *Pesher* Style

Only the *pesher* writings, the *nistar*, or esoteric interpretations, that are transmitted by revelation to the Teacher of Righteousness, are consistently accompanied with the relevant biblical text, as we read in 1QpHab VII:4–5: "the Teacher of Righteousness to whom God made known all the

mysterious revelations of his servants the prophets."[108] They cannot be deduced from the simple understanding of the biblical text or by means of interpretive techniques; they are of an utterly different genre, offering insight into the concealed message of the text.[109] The *pesher* genre is not an interpretation of the text in the sense of understanding what it really says, such as the correct halakhah. The *pesher* literature is not concerned with the literary, etymological, or halakhic interpretation of the text.[110] It serves, rather, to indicate to what period, event, circumstances, or personality the text refers, essentially an actualization of its content. *Pesher Habakkuk*, the model *pesher*, actualizes the entire book as pertinent to

[108] Lim, "Chronology," 297, writes, "Inferential exegesis of the kind that is described above [regarding the chronology of the Flood in 4Q252] is not paralleled in either the continuous or thematic *pesher*"; he articulates the difference as follows: "prophecies are revelatory, whereas the flood story is conducive to chronological enumeration."

[109] Fraade, "Rewritten Bible," 60, states that the *midrash* and the Dead Sea Scrolls have in common the practice drawing of a boundary line between received scripture and its interpretive retelling by means of a dialogical shuttling between them. As I understand it, Fraade uses "Dead Sea Scrolls" in this instance to refer to the *pesher* writings, since in "Narrative Midrash," 61–62, he perceives only a minor engagement with Scripture in Qumran writings. For example, referring to parallel interpretations in a *midrash* and a Qumran text, he observes the *midrash*'s engagement with the words of the Torah and distinguishes this from the Qumran writings, in which "the dialogical engagement with the scriptural text of Exodus 19 does not appear to have occupied the same performative place as it did among the early rabbinic Sages." He also states specifically (at 52) that such Qumran texts as the Community Rule, MMT, the Temple Scroll, and the War Scroll "never directly and exegetically engage the texts of Scripture." There seems to be some inconsistency between his two statements, unless we assume that in asserting the common character of the Dead Sea Scrolls and rabbinic *midrash* with respect to their engagement with Scripture he is in fact referring to the *pesher* genre. However, because Fraade does not consider this class of writing *sui generis*, his is not a conventional interpretation, and one cannot derive from it, as he attempts to do, consequences for other types of writing. Brooke, *Exegesis at Qumran*, 151, quotes a number of scholars who maintain that *Pesharim* are indeed *sui generis*.

[110] Bernstein, "4Q252 Re-written," 3, writes of the *Pesharim* that "their exegesis does not strive at all to achieve a contextual and literal understanding of the biblical text, but rather its historical or eschatological actualization." M. Kister, "A Common Heritage," 108, writes, "The intent of the *pesharim* is not to explicate the text itself, but rather to reveal the 'secrets' of the fulfillment of the prophecy." In this case, however, it should not be perceived as exegesis, or as "explicit exegesis versus implicit exegesis"; rather, it should be perceived as prophecy received by revelation, foretelling the near or more distant future. The *pesher* is not simply a different literary genre than the halakhic or narrative exegesis; it is essentially different, and cannot be juxtaposed to them for comparison. Kister, at 103 n. 10, doubts whether the scholarly assumption that Isa 9:13–14 is a "pesher-exegesis within the biblical corpus itself" can be affirmed, since it may not be an "actualized midrash," as the *pesher* writings are. The verse in Isa is indeed not an actualization of an occurrence, like the *pesher* literature; it is, rather, an explication of

the author's period.[111] For example, the רשע of 1:4 is identified as the renowned הכוהן הרשע and the צדיק as the מורה הצדק.[112] We can observe a remarkable difference between the literary structure of the *pesher* literature and that of the halakhic and doctrinal writings. In the first case, the verse is quoted first, followed by the esoteric actualization, whereas in the second, the idea is given first and is then justified by the biblical verse (where its biblical source is not self-evident).[113] This literature is utterly different from the rabbinic *midrash* in three main respects: (a) its communication by revelation through one person (versus the rabbinic *midrash*, which is open to everyone); (b) its purpose, the eschatological actualization of the prophecies (versus the goal of better understanding of Scripture for halakhic and doctrinal issues); and (c) a unique interpretation (versus multiple and even divergent interpretations).[114] *Pesher* exegesis is in fact more comparable to the New Testament's actualizations of Old Testament prophecies, such as the interpretation of Isa 7:14 by Matt 1:23, and of Joel 2:28–32 in Acts 2:17–36, as referring to Jesus.[115]

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the metaphor cited in the antecedent verse—who is meant by the head and by the tail, and their poetic duplicates, the palm and the reed. Moreover, unlike the *pesher*, which identifies, in similar instances, the exact person or people, Isa indicates unspecified elders and the false prophets.

[111] It can be debated whether the author of the *Pesher Habakkuk* had in mind that the prophecy referred exclusively to his period, as stated in Lawrence H. Schiffman, "Contemporizing Halakhic Exegesis in the Dead Sea Scrolls," in *Reading the Present in the Qumran Library* (ed. K. de Troyer and A. Lange; Atlanta: Scholars Press, 2005), 35–41 at 35, or whether, as argued by Jutta Jokiranta, "Pesharim: A Mirror of Self Understanding," *ibid*., 23–34, the author considered that the prophet Habakkuk referred to his period but that his universal prophecy was now also appropriate for the current period, for which it served as a model. Jokiranta's perception of the "actualization" of the *Pesharim* seems to me more reasonable, since it does not limit the applicability of Scripture to a particular period and preserves the idea of Scripture's eternal significance.

[112] Collins, "Interpretation," 42, writes that the *Pesharim* "interpreted the prophetic texts as prediction of events in the Hellenistic and Roman periods," and "they typically argue that the biblical texts describe the situation in which the sectarians found themselves." Cf. Brooke, "4Q252 Early Commentary," 396, who designates 1Qp Hab as commentary, and attempts to deduce from it "the understanding of early Jewish biblical interpretation."

[113] As noted earlier, no biblical verse is cited in cases where the source is self-evident.

[114] Fraade, "Rewritten Bible," 62, gives a similar opinion in a somewhat weaker style, implying that although there are some shared traits between the two corpora, "important qualifications are necessary."

[115] See Klyne Snodgrass, "The Use of the Old Testament in the New," in *The Right Doctrine from the Wrong Texts?* (ed. G.K. Beale; Grand Rapids, MI: Baker Books, 1994), 29–51 at 41. He writes that the *pesher* method "does not seek to explain a text so much as it seeks to show where a text fits." He further writes, on the character of *pesher*,

From this point of view, 4Q174, classified as *Florilegium*, and 4Q177, labeled as *Catena A*, should be considered an early type of mixed literature, and they are indeed perceived by A. Steudel as an early form of *pesher*.[116] They contain both styles, the *pesher* and the doctrinal, and are not book-oriented like the later *pesharim* but subject-oriented, citing verses from different sources. A literary analysis of 4Q177 (4QCatena A) II:1–16 demonstrates this theory. The doctrinal utterance "The promises of Yahweh are promises that are pure" (v. 1) is justified by "as it is written" in Zech in v. 2; the interpretation of the verse follows the statement. However, the verse "How long, Yahweh, are you going to forget me" (Ps 13:2–3) antecedes its actualization, expressed in vv. 9–10, that it concerns "the purification of the heart of the men of the [Yahad] Community." In the *pesher* type of esoteric literature, as in 1QpHab the relevant verse is quoted first, followed by its actualization, whereas halakhic and doctrinal texts first cite the verses and then add their justifications or interpretations.[117] This distinction is due to the different natures of the two literary types.[118] The doctrinal and halakhic declarations are of the *Nigleh* type, that is, of an interpretive nature, attainable by the dedicated endeavour of devout persons, whereas in the *pesher* literature, the *nistar* is revealed to a particularly elected person.[119] In the first type, citing the

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that "the presupposition is that the text contains a mystery communicated by God that is not understood until the solution is made known by an inspired interpreter."

[116] Anette Steudel, *Der Midrasch zur Eschatologie aus der Qumrangemeinde (4QMidr-Eschat^{a,b}): materielle Rekonstruktion, Textbestand, Gattung und traditionsgeschichtliche Einordnung des durch 4Q174 ("Florilegium") und 4Q177 ("Catena A") repräsentierten Werkes aus den Qumranfunden* (Leiden: Brill, 1994), 198. Brooke, *Exegesis at Qumran*, 150, quotes I. Rabinowitz, "Pesher, Pittaron: Its Biblical Meaning and Its Significance in the Qumran Literature," *RevQ* 8 (1973): 219–232, declaring that "neither in method nor in form is a *pesher* any kind of *midrash* as familiar to us from rabbinic literature." At 155 Brooke writes that 4QFlor "is Qumran *midrash* of a particular *aggadic* kind, that of *pesher*." He attempts to harmonize the different scholarly opinions about the terms מדרש and פשר used in 4QFlor; I do not think that this is necessary, since, as I demonstrated in my discussion of the etymological meaning of the term דרש, the term has many meanings in Scripture and in the Qumran and rabbinic corpora; thus, it must be understood in relation to its context, and its use in Qumran does not imply a rabbinic type of *midrash*.

[117] The term כתוב in 4Q163 and 165 indicates a different literary style from that used by the author of 1QpHab, but essentially the structure is identical. The verses in Isa that antecede the *pesher* are introduced by the phrase ואשר כתוב (4Q165 frg. 6 2), and then comes the *pesher* פשרו in v. 6.

[118] Moshe J. Bernstein, "The Interpretation of Scripture," *EDSS* 1:376–383 at 377, divides different types of qumranic interpretations, in contrast to my division of the literary genres, each with its appropriate interpretative method.

[119] See Heger, "Development of Qumran Law," 182–186. Bernstein, "Interpretation," 378, writes that the "Teacher of Righteousness was an inspired interpreter of prophetic

verse is not absolutely essential, and it is quoted as a justification for the pronouncement only when the latter's source is not clearly evident. In the second, citing the verse is essential, since the purpose of the utterance is the actualization of that verse.

A crucial difference between the qumranic and rabbinic corpora is evident from their respective structures. Qumran *pesher* consists of direct assertions, not of answers to a question; it is simply a direct *ex cathedra* utterance that has a single meaning, without any justification. (The term פשרו in 4Q252 IV:5, explaining that Jacob's criticism of Reuben in Gen 49:4 refers to his sexual relations with Bilhah, recorded in Gen 35:22, is an exception with respect to its exigency, its literary style, and the language used.)[120] In contrast, the rabbinic *midrash* is usually structured as a direct or indirect answer to the question *What does it mean?* and uses supporting evidence, direct or circular, from another verse; this structure allows unlimited possibilities for interpretation. This is characteristic *midrash*, deriving from one verse the meaning of another.

The difference between the *pesher* and the rabbinic literature, which is due to the fundamental distinction between their approaches to the interpretive process, can be perceived even when both corpora attempt to identify the event or the personality to whom the original scriptural text refers. We read in Hab 1:7, "They are a feared and dreaded people; they are a law to themselves and promote their own honor." 1QpHab III:4 interprets this as follows: "Its interpretation concerns the Kittim, the fear and dread of whom are on all the peoples." As is appropriate for a statement generated from a revelatory source, this is the only interpretation given, and there is no justification or support for it, despite the fact that the verse unquestionably refers to the Babylonians. In contrast, the rabbinic *Lev. Rab. parsha* 18 offers a great variety of possibilities to whom this verse might relate, from Adam to Moses, from Pharaoh to Nebuchadnezzar to Israel, and each possibility is justified with a supporting verse.

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texts." Thus, he seems compelled to use the method I have explained above of distinguishing between different literary genres rather than according to different interpretative systems.

[120] There is no doubt that Jacob refers to that event; none of the traditional commentators or Talmudic writings cares to make this connection, since it is self-evident. Their aim, rather, is Reuben's absolution from his guilt by various *midrashic* creations. This explanation in writing from Qumran, which habitually avoids explicit explanations and citations to self-evident sources, is peculiar and seems utterly superfluous. The use of the term *pesher*, usually associated with prophetic, esoteric, and pietistic topics, for the explanation of a self-evident matter adds to its oddity and irregularity. See Brooke, "4Q252 Early Commentary," 389.

In another instance, our verse is used to justify a homily. In *Gen. Rab. parsha* 51, it is said that God revealed to Abraham at the Covenant celebration (Gen 15) four future events, among them the exodus to Babylon; a biblical verse is proffered to support each event, and our verse from Hab 1 serves as evidence for the Babylonian exile. The term אימה appears in Gen 15:12 (Abraham's Covenant), and the term איום, from the same root, appears in Hab 1:7; the fact that in Hab the term refers to the Chaldeans/Babylonians (v. 6) supports the homily that God told Abraham about the exodus to Babylon. We observe that in this instance, our verse is interpreted in its simple meaning, but it serves in another instance to justify a *midrashic*/imaginative homily.[121] In the example above, we observe that in its *pesher* genre, Qumran identifies the subject of a biblical verse, unconcerned about being contrary to the latter's explicit assertion, without offering any explanation or justification for its interpretation (in contrast to Qumran halakhic and doctrinal writings). The rabbis, on the other hand, attempt to adduce a supporting verse even on questionable, unconvincing grounds, as in the above instance; since איום refers to Babylon in one biblical verse, they contend that the term אימה, though appearing in other context, likewise relates to Babylon.

In another example, the rabbis construct a homily, reconciling an apparent biblical ideological inconsistency, on the basis of the supposedly superfluous word ממנו. In Hab 1:13, we read, "Why are you silent while the wicked swallow up those more righteous than themselves?" This utterance seems to conflict, according to *b. Ber.* 7b, with the promise that "the Lord will not leave them [the righteous] in their power [i.e., the power of the wicked]" (Ps 37:33). The rabbinic homily reconciles this inconsistency, stressing that the wicked can indeed swallow up someone who is "more righteous" than himself, but cannot swallow up the genuinely righteous. The examples above demonstrate the real character of the rabbinic *Midrash Aggadah*, which is utterly distinct from Qumran's method of interpretation. 1QpHab V:9–10 contemporizes this verse along with the entire book of the prophet, with no concern for a theoretical inconsistency. It interprets the verse simply as relating to the House of Absalom, a sobriquet of their opponents, "and the members of their council, who kept silent when the Teacher of Righteousness was rebuked."

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[121] Jo Milgrom, *Handmade Midrash* (Philadelphia: Jewish Publication Society, 1992), 3, writes, "The term *midrash* describes both a method and a genre of literature in which imaginative interpretation discovers biblical meanings that are constantly contemporary."

We have observed above the identical communication styles of the *pesher* and of Qumran's halakhot: no justification is required, since both *pesharim* and halakhot are either obtained by revelation or self-evident. The rabbinic literature, however, relying as it does on *midrash* ex- or eisegesis, absolutely requires justification. Consequently, while the rabbinic attitude that many interpretations are possible demonstrates the non-compelling character of the interpretations and the resultant disputes among rabbis, Qumran insists that their halakhot are self-evident and represent the single, absolute truth.

2.6. The Labels "Reworked Pentateuch" and "Paraphrased Biblical Texts": Are They Correct?

Though I have voiced my challenge to the labels "reworked Pentateuch" and "paraphrased biblical texts" in my book *Cult as the Catalyst for Division*, I revert to this topic again here because it is linked to topics discussed in this study regarding the interpretive systems in Qumran and rabbinic literature, and, in particular, regarding the citation of biblical verses in some genres of Qumran literature. I refer to writings such as 4Q158, 4Q175, 4Q365, 4Q365a, 4Q368, and 4Q422, which have been classified as rewritten or reworked Pentateuch and as paraphrased books and which constitute a particular genre from the perspective of the manner in which biblical sources are cited. Whereas Qumran halakhic writings do not habitually cite biblical verses to support their decisions, and *pesher* writings quote such verses verbatim and according to their biblical sequence, these texts cite biblical sources inexactly and in an apparently random sequence. As I see it, the "inexact" citations of biblical verses in the above-mentioned writings are not quoted to support or justify intended ideological messages that are not evident from the original biblical texts. In fact, several scholars have attempted to reveal the particular purpose of these citations; see, for example, Ida Fröhlich's conjectures on 4Q252 and 4Q180, and H. Eshel's and F.M. Cross's reflections on 4Q379.[122]

[122] Ida Fröhlich, "The Biblical Narratives in Qumran Exegetical Works (4Q252; 4Q180; The Damascus Document)," in *Qumranstudien: Vorträge und Beiträge der Teilnehmer des Qumranseminars auf dem internationalen Treffen der Society of Biblical Literature, Münster, 25.–26. Juli 1993* (ed. Heinz-Josef Fabry, Armin Lange, and Hermann Lichtenberger;

In typical writings of the *pesher* genre, the biblical texts are quoted exactly, in order of their appearance in Scripture, whereas in the above-mentioned writings we encounter a random mixture of exact and inexact quotations;[123] these writings are not book-oriented but demonstrate the typical *pesher* structure, citing first the biblical verse and then its actualization. As stated above, these writings may contain an early form of *pesher* literature, as Steudel has suggested with respect to 4Q174 and 4Q177. The exact purpose of these writings must remain speculative.[124] M. Bernstein asserts that if such a text is perceived as commentary—for example, 4Q252—one should not search for artificial unifiers but attempt to understand the document as it stands; to force integrating features on the text is inappropriate.[125] If I may add my thoughts about the genre dubbed "rewritten Pentateuch," I would hypothesize that most of them should be perceived as mnemonic drafts, prepared by preachers or teachers for oral sermons or instruction, each with specific themes.[126] The extent of the biblical quotations and the choice of their subjects can offer us a clue to their plausible theme and purpose. We have no ironclad evi-

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Göttingen: Vandenhoeck & Ruprecht, 1996), 111–124. The statements of Eshel and Cross are cited by Carol Newsom, "4Q378 and 4Q379: An Apocrypha," in *Qumranstudien* (ed. Fabry et al.), 35–85.

[123] Timothy H. Lim, "The 'Psalms of Joshua' (4Q379 fr. 22 col. 2): A Reconsideration of Its Text," *JJS* 44 (199): 309–312 at 309, writes, "its exegesis has been likened to that of the pesher." Lim is referring to 4Q379, but an almost identical text appears in 4Q175, the subject of our scrutiny here.

[124] George J. Brooke, "The Thematic Content of 4Q252," *JQR* 85, 1/2 (1994): 33–59 at 54, writes, "It is not possible to present a systematically argued structural analysis of 4Q252"; in the later "4Q252 Early Commentary," 395, however, he attempts to reveal a unifying genre, which he suggests is an "excerpted commentary." In contrast to Brooke, Ida Fröhlich, "Structure and Genre of Pesher Genesis," *JQR* 55, 1/2 (1994): 81–90 at 89–90, writes, "The whole text [of 4Q252] appears to have the same structure." She also labels this text as belonging to the *pesher* genre, whereas Brooke ("4Q252 Early Commentary," 89) states that that this technical term is "inadequate for designating the whole composition." Such debates demonstrate the futility of searching for artificial unifiers in a commentary, as Bernstein suggests both in general and, in particular, in disputing Brooke's postulate about the theme of 4Q252 in Moshe J. Bernstein, "4Q252 Method and Content," *JQR* 85, 1/2 (1994): 61–79 at 79. In his conclusion Bernstein notes that a "search for structure is likely to be in vain."

[125] "4Q252 Rewritten," 26.

[126] Kugler, "Hearing 4Q225," 88, notes that "in an oral milieu … constitutive texts like Scripture were memorized," and at 86–88 he writes that the features of 4Q 225 "may indicate it was intended for aural reception." Quoting H. Gregory Snyder, "Naughts and Crosses: Pesher Manuscript and Their Significance for Reading Practices at Qumran," *DSD* 7 (2000): 26–48, and J.M. Foley, "Word Power, Performance and Tradition," *Journal of American Folklore* 105 (1992): 275–301, Kugler concludes that the evidence strongly suggests "the oral presentation of texts in Qumran, and of 4Q225 in particular." Further,

dence of Qumran's attitude toward writing post-biblical literature, similar to the rabbinic prohibition on writing down the Oral Torah, but it seems that they indeed wrote halakhot and *aggadot* and that they stored them with maximum care, as holy writ. We should also consider that 4Q252 and similar writings do not seem to be official texts of the Qumran group, like 1QS, 1QM, CD, and other compositions resembling these; rather, they appear to be documents conceived and created by individual members of the community for some special purpose and audience, and subsequently conserved.[127] They therefore represent the particular thought and style of their author, and cannot be perceived as paradigmatic of official Qumran writings for the purposes of comparative inferences or the disclosure of a common style of interpretation and writing. Having demonstrated the ideological, structural, and factual differences between the rabbinic *midrash* and Qumran's simple interpretive system, as opposed to a *midrashic* exegesis, we can now dispute Fraade's contrasting opinion and statements. I begin with Fraade's examples of alleged legal *midrash* in Qumran literature, then proceed to similar assumptions made by two other scholars.

2.7. Discussion of Fraade's Examples of Legal *Midrash*

2.7.1. *Example 1: Rebuke Your Neighbor*

Fraade cites the rule of reproof from CD-A IX:2–8 as evidence for his theory of "legal midrash" in Qumran literature.[128] In order to evaluate this statement, one must first consider the exact definition of the concept

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at 89, he asserts that quoting biblical terms and language facilitated the reception of the discourse, placing it within the audience's horizon of expectation as a result of their previous experience of Scripture.

[127] Fraade, "Narrative Midrash," 64, and Shemesh and Werman, "Halakhah," 125, postulate that the different audiences of these writings define and distinguish their respective genres.

[128] Fraade, "Legal Midrash," 69, quotes from CD-A IX:2–8: "As for the passage that says, '*Take no vengeance and bear no grudge against your kin folk*' (Lev 19:18) any covenant member who brings against his fellow an accusation not sworn to before witnesses or who makes an accusation in the heat of anger or who tells it to his elders to bring his fellow into disrepute, the same is a vengeance-taker and a grudge-bearer. *vacat* It says only, '*On his enemies God takes vengeance, against his foes he bears a grudge*' (Nah 1:2). If he kept silent day by day and then in anger against his fellow spoke against him in a capital case, this testifies against him that he did not fulfill the commandment of God which says to him, '*You shall reprove your fellow and not bear the sin yourself*' (Lev 19:17)."

מדרש. As stated earlier, reading and understanding any text, and particularly Scripture, requires some interpretation and allows a choice of different nuances and meanings. It is my contention that the term מדרש, as coined by the rabbis, describes a defined manner of interpretation, distinct from that practiced by Qumran scholars. Fraade's example, I argue, matches the Qumranic manner of simple interpretation and cannot be compared to the complex rabbinic method. The two relevant biblical verses, which consist of various apparently unconnected rules, present difficulties of interpretation for the reader.[129] The command "do not hate your brother in your heart" has no logical link to the succeeding decree, "Rebuke your neighbor frankly so you will not share in his guilt."[130] One would rather expect it to be followed by the second command of v. 18, its antipode: "Love your neighbor as yourself." The association of rebuking with avoiding sin is equally perplexing; the essence of the sin is not defined, nor who is the sinner. The traditional commentators and the Talmud came up with a great variety of interpretations as to the character of this sin, confirming the dilemma caused by this vague text.[131] Both the rabbis and Qumran had also another embarrassment: the contradiction of this command with the obligation to hate sinners, which was upheld by both groups.[132]

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[129] We read in Lev 19:17–18, "Do not hate your brother in your heart. Rebuke your neighbor frankly so you will not share in his guilt. Do not seek revenge or bear a grudge against one of your people, but love your neighbor as yourself. I am the Lord."

[130] The NIV translation, "so you will not share in his guilt," is already an interpretation of this indistinct phrase. The KJV translation, "but shall not incur sin because of him," is also vague. Onkelos translates, "and you will not receive [bear] a sin because of him." The LXX translates, καὶ οὐ λήμψη δι᾽αὐτὸν ἁμαρτιαν "he may not bear his (the other's) sin."

[131] Ibn Ezra understands the text in a similar way to the CD: You should rebuke your neighbor, and thus give him the possibility of denying his sin, because to make a wrongful accusation is also a sin. For *Ramban*, the sin consists in not preventing your neighbor from continued sinning; had you rebuked him, he might have improved his ways, and therefore by failing to rebuke him you partake of his sin. *Ramban* offers an additional explanation relating to one's own character: if you do not reprove him, giving him a chance to remedy his offense against you and reconcile with you, you will continue to hate him, and thus transgress the prohibition against "hat[ing] your brother in your heart" (v. 17). Modern scholars have obviously also recognized the nebulous nature of this phrase.

[132] Devorah Dimant, "The Hebrew Bible in the Dead Sea Scrolls: Torah Quotations in the Damascus Document," in *"Sha'arei Talmon": Studies in the Bible, Qumran, and the Ancient Near East Presented to Shemaryahu Talmon* (ed. M. Fishbane et al.; Winona Lake, IN: Eisenbrauns, 1992), 111–122 at 117, understand C D IX:5, "God takes vengeance against his foes," as declaring that one is allowed to take vengeance and to hold a grudge against one's enemies. These are the Israelite opponents of the group (see 1QS I:10), perceived as sinners and adversaries of God, and the quotation from Nah 1:2 reconciles

The author of the CD proceeds with a plain solution to the problem, elegantly integrating the two verses and thus offering a simple understanding of them. We must consider that at this time there was as yet no separation of verses, and therefore the author created one organic whole. The biblical verses are interpreted in a simple way, as follows: Do not hate your brother in your heart [when you see him sinning, as you should hate a sinner], but rebuke him so that you should not incur the sin of having failed to rebuke him.[133] Further, do not seek revenge or bear a grudge against one of your people, since you must love him.[134] The point is to emphasize that one must rebuke one's "fellow covenanter" before accusing him in public, bringing shame upon him. The CD author deduces this rule exegetically by integrating the two biblical verses (Lev 19:17–18) into one law, thus resolving the dilemma caused by the vague biblical phrase ולא תשא עליו חטא and offering an elegant and simple solution to these problematic verses.[135]

We can now compare the rabbinic method of interpreting these verses. We read in *b. Pes*. 113b a dictum that one is allowed to hate a sinner, attained by means of a complex *midrashic* justification. It is said in Exod 23:5 that "if you see the donkey of your enemy fallen down under his load, be sure to help him." The text then asks whether this refers to a Gentile or to an Israelite, and answers, with no scriptural support, that it relates to an Israelite. On that basis, it is asked, Are we then allowed to hate a fellow Israelite, since it is written "do not hate your brother in your heart"? The answer is that if someone is a sinner, we may hate him.

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this attitude both with the biblical negative command not to hate one's neighbor and with the affirmative command to love him. I would go a step further and understand it as an *obligation* to hate these opponents, as we read in Ps 139:21: "Do I not hate those who hate you, O Lord, and abhor those who rise against you?" I will discuss below the rabbinic deliberations on the subject of this contradiction.

[133] We read in vv. 6–8, "If he kept silent about him from one day to the other, and then, when he was angry, accused him of a capital offence, he did not fulfill the commandment of God who said to him: 'You shall reproach your fellow so as not to incur sin because of him.'" The author probably based his idea on Ezek 33:8–9: "When I say to the wicked, 'You wicked person, you will surely die,' and you do not speak out to dissuade them from their ways, that wicked person will die for their sin, and I will hold you accountable for their blood. [9]But if you do warn the wicked person to turn from their ways and they do not do so, they will die for their sin, though you yourself will be saved."

[134] In vv. 2–4 we read, "Every one of those brought to the covenant who brings an accusation against his fellow, unless it is with reproach before witnesses, or brings it when he is angry, or tells it to his elders so that they might despise him, he is the one who avenges himself and bears resentment."

[135] For an extensive study of this issue see Heger, *Cult*, 89–95.

I wish first to draw attention to the fact that interpreting the term שנאך as "someone whom you hate" to deduce that one may hate an Israelite is problematic, because its simple, grammatically correct translation is "one who hates you," which cannot serve as scriptural evidence for the pertinent deduction. Here, in contrast to Qumran's simple evidence from a prophetic verse (Nah 1:2), we observe the convoluted and imprecise *midrashic* method.[136] There are many *midrashic* legal rules deduced from these two verses, but I will cite one example to juxtapose it to Qumranic interpretive method.[137] We read in *b. Arak*. 16b, "[It is written]: 'do not hate your brother in your heart'; maybe we should understand it as prohibiting beating him, slapping him, or damaging him? The phrase "in your heart" comes to teach us that Scripture intends the prohibition in your heart, even if you do not actively carry it out. How do we know that one is obligated to reprove his neighbor, seeing him acting wrongly? We know it from the command 'rebuke your neighbor.' How do we know that one has to reiterate the reproof if he persists? We know it from the repetition of the term 'rebuke.' Should we understand from the biblical command that one should rebuke him [in public,] putting him to shame? No, one should not do it, since it is written: 'You shall not incur sin because of him.' "

2.7.2. *Example 2: Addition of Time to the Sabbath*

The second example cited by Fraade relates to the rabbinic and Qumranic addition of time to the beginning of the Sabbath. CD-A X:14–17 quotes the rule, citing as its justification Deut 5:12—שמור "Observe [*lit*. 'guard'] the day of the Sabbath to make it holy"—without specifying the "hermeneutical relation," as Fraade comments.[138] I think that like the rule

[136] In fact, in *b. Pes*. 113b, an Amora deduces the permission to hate a sinner from Prov 8:13: "To fear the Lord is to hate evil," which is also an interpretation, since this verse relates to hating evil, not hating the evildoer. On the other hand, since there is a lacuna in CD-A IX:5, we cannot tell how its author deduced from a verse that refers to God permission for humans to behave in the same way; they could have quoted instead Ps 139:21, cited below on p. 302, that explicitly encourages hating a sinner as God's enemy.

[137] Fraade, "Rewritten Bible," 64, calls the many *midrashim* from the same verse "alternative interpretations."

[138] We read in CD-A X:14–17, "About the Sa[bb]ath, how to keep it properly. *vacat* A man may not work on the { } sixth day from the time that the solar orb is above the horizon by its diameter, because this is what is meant by the passage, '*Observe the Sabbath day to keep it holy*' (Deut 5:12)."

discussed above, this one demonstrates a simple understanding of the biblical verse. We must understand that the use of the term שמור in Deut 5:12, instead of the term זכור "remember" in Exod 20:8, its parallel command, emphasizes its meaning as an obligation to "guard" the Sabbath, like something precious. And as one takes every possible precaution not to lose or depreciate it, one must conduct oneself equally, and be careful not to profane the Sabbath. Qumran cites the biblical text here, in contrast to other instances in which it is not cited, to emphasize the term שמור "guard." If the Deuteronomic text were not quoted, we would not have been able to grasp how they deduced the halakhah by means of a simple interpretation of the biblical command.

Qumran may have acquired the assignment to guard the Sabbath over its prescribed time by emulating the returnees with Ezra, Qumran's role model, in fearing the words of the God of Israel, as we read in Ezra 9:4 and 10:3.[139] Ezra introduced in Israel a spirit of awe in the fulfillment of the divine commands, a notion that would facilitate the extension of prohibitions beyond their scriptural specifications.[140] Ezra and Nehemiah widened the range of the biblical Sabbath laws, including the prohibition of trade; introduced the ban on marrying Gentile women; and promoted a strict separation from the Gentiles.[141] Emulating this exalted approach to the fulfillment of the divine commands, and particularly of the Sabbath ordinances, by which God stressed the obligation to revere the Sabbath in the Fourth Commandment, they decided to supplement its duration, thus ensuring that no unintentional diminution of its legal extent could ever occur. This mindset is similar to the rabbinic method of making סייג לתורה "a hedge to the Torah," a preventive criterion (*m. Abot* 1:1). The prohibition on trading during the Sabbath, for example, was instituted by the rabbis, who allege that it is not included in the biblical law, to avoid the possibility of inadvertently writing notes about trading activities (*b. Šabb.* 148 a and b), a labor prohibited by Torah law. The same attitude toward revering the Sabbath is also the foundation of the succeeding prohibitions in CD-A X:17–19, which are its logical consequences. This interpretation is based on a simple understanding of the scriptural verse and thus

[139] We read in Ezra 9:4, "everyone who fears the words of the God of Israel" and "those who fear the commands of God."

[140] See Heger, *Cult*, 82 and n. 140, for an extended study on the meaning of the term חרד in the Ezra context.

[141] For an extended study on these regulations, see Heger, *The Three Altar Laws: Developments in the Sacrificial Cult in Practice and Theology: Political and Economic Background* (BZAW 279; Berlin: de Gruyter, 199), 342–345 and 407–411.

constitutes an utterly different method from the corresponding rabbinic *midrashic* support for the same rule, which I describe below.

Fraade cites the rabbinic *midrash* about adding time to the Sabbath from *Mek. Jethro, parsha* 7: "[It is written in Exod 20:8]: 'Remember [the Sabbath' and in Deut 5:12]: 'Guard [the Sabbath']; remember it before it comes and guard it after it is gone. Hence they say: one adds from the profane to the holy, intending to establish that one must add always to the legal time of the Sabbath, holidays, and the seventh Sabbath year." Then follow other *midrashim* on the oddity of the two different terms of this commandment: The term "remember" comes to tell us that one should remember the Sabbath when purchasing food; if one comes upon a fine-quality food during the week, one should buy it for the Sabbath. Another interpretation instructs us to count the days of the week from Sabbath, that is, the first day, the second day, and so on (as indeed is the custom in Hebrew and in Portuguese).

An elaborate *midrash* supporting the same rule, linked to the interpretation of a scriptural command on an affiliated topic, appears in *b. Roš Haš.* 9a:

> Wherefrom does Rabbi Ishmael deduce the rule to add from the profane to the holy? [A.] he deduces it from Lev 23: 32: "you shall afflict your souls in the ninth day of the month [in the evening]." Could it be that it applies to the ninth [day of the month], [since it is written in v. 27 that the holiday is on the tenth day?]. No, it is written "in the evening." If in the evening, could it intend after dark? No. It is written "on the ninth day" [and after dark, it is already the tenth]. How do you reconcile it? He starts to deny himself / fast on the early evening, when it is still day, and from this we learn that one adds from the profane to the holy. From that we know that one has to add at its start, but how do we know that you have to add also at its end? We deduce it from the phrase "from evening to evening." From that we know that the rule refers to the Day of Atonement, but how do we know that it is valid equally for the Sabbaths? Because it is written תשבתו "abstain from work." How do we know that it is valid equally for the holidays? Because it is written שבתכם "your Sabbath." What does it mean? Whenever there is an abstention from work, one must add from the profane to the holy.

We observe from the above examples a few characteristic features of the rabbinic *midrash*. The rule attained can be deduced from different biblical verses, and different rules can be attained, by the common *midrashic* method, from the same verse.[142] This reality demonstrates the validity of the "integrative midrash" concept; the rule is established as a fact, and

[142] Fraade, "Rewritten Bible," 63–64, fails to enumerate the deduction of the same rule from more than one biblical verse in his enumeration of "three formal characteristics of

different Sages then justify it from disparate biblical commands. Thus, the *midrashic* interpretation is not inherent in the biblical command; one should consider it an *eisegesis* rather than an *exegesis*. If the Pharisees, Qumran's assumed opponents, did indeed practice *midrashic* interpretation like the rabbis, one can understand Qumran's vehement opposition to and disdain of halakhot reached by such methods, particularly with respect to critical halakhot;[143] their reiterated accusation דרשו בחלקות "sought easy interpretations" serves as evidence. I leave it to readers to compare Qumran's simple and logical approach with the complex unpersuasive, rabbinic *midrashic* system and draw their own conclusions as to whether there is a meeting point between the two interpretive systems.

2.7.3. *Example 3: Offerings Other Than Those of the Sabbath*

Fraade's last example of alleged legal *midrash* in Qumran relates to the prohibition, according to his interpretation, against offering on the Sabbath offerings other than those commanded for the Sabbath, including the specific holiday offerings, as recorded in the CD.[144] Elsewhere I have published an extended study of this issue, in which I discuss the ambiguity of the scriptural term מלבד, the basis of this rule and linked to its understanding.[145]

The term מלבד may be interpreted, in its sense of "except," as implying that what is enumerated following the preposition, while not included in the prior list of offerings, is still to be offered in its own right; it may also imply, however, that what is excluded is not to be offered at all.

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rabbinic midrash," nor it is it included in his citation of the *Sifre Deut* 31. The example I cite above shows a greater variety of rabbinic *midrash*; see also the complex *midrash* from *Gen. Rab. parsha* 51 and *Lev. Rab. parsha* 18, with many varieties, cited on pp. 53–54.

[143] In reality, we have no evidence of the Pharisees' method of interpretation, but since Qumran writings accuse their opponents of wrong interpretation, and it is assumed that these opponents were the Pharisees, they must have practiced an exegetical method. See also Doering, "Parallels," 29, who draws attention to the fact that the rabbinic "sources adduced for comparison are to be dated later than the Scrolls." I cannot accept the unqualified assertion of Brooke, "4Q252 Early Commentary," 399, "that such materials [as 4Q252 and similar] are best considered within the history of Jewish interpretation." See also my hesitation regarding the precise source of those writings on p. 43.

[144] We read in CD-A: XI:17–18: "No one should offer any sacrifice on the Sabbath except the Sabbath whole-burnt-offering, for so it is written, מלבד שבתותיכם '*besides your Sabbaths*' (Lev 23:28)." In fact, Scripture reads מלבד שבתת ה' "besides God's Sabbaths," probably to avoid writing the divine name.

[145] Paul Heger, "Sabbath Offerings According to the Damascus Document—Scholarly Opinions and a New Hypothesis," *ZAW* 118 (2006): 62–81.

The clue to Qumran's decision to interpret the term as "except"—that is, not to be offered—is to be found in the interpretation of Num 28:9 relating to the Sabbath offering, a command which shows irregularities and lacks an expected verb.[146] Qumran scholars understood, as I suggest, that the Sabbath offering, in the morning and in the evening, replaces the daily *Tamid* and is not performed in addition to it, as the rabbis interpreted. The scrutiny of Josephus' *ANT* III:237–238 reveals hints to the same effect, that two lambs in the morning and two in the evening were offered on the Sabbath, instead of one lamb in the morning and one in the evening, as on every weekday. Hence, since even the perpetual daily *Tamid* is not offered on Sabbath, the logical result is that no offerings other than the particular Sabbath offering may be offered on the Sabbath. Qumran therefore interpreted the term מלבד as "except"—not to be offered. It is plausible that the author disputes here the rabbinic/pharisaic regulation, which interprets differently the biblical command of the Sabbath offering, alleging that this offering does not replace the weekday *Tamid* but, rather, consists of a supplementary offering of one lamb in the morning only.

This is a simple, logical interpretation of the literary structure of Num 28:9–10, whereas the rabbinic concept of מוסף "supplementary offerings to the daily *Tamid*" is a concept absent in Scripture that requires three lambs (one for the weekday and two as the Sabbath supplement) in the morning and one lamb (that of the weekday offering) in the evening.[147] This interpretation does not adequately consider the oddities of the relevant biblical command, which point instead to the correctness of the Qumranic interpretation; the latter also seems more reasonable, as the Sabbath offering is double the weekly offering, both in the morning and in the evening. The rabbinic rule, requiring double offerings in the morning and no additional offering in the evening, seems unbalanced and in

[146] In contrast to other commands related to offerings in the two relevant chapters, all of which contain a verb, such as *to offer* or *to make* the specific offering, the command of the Sabbath (*Tamid*) offering follows that of the weekday offering, without a verb; it starts with וביום השבת שני כבשים "And on the Sabbath day [make an offering of] two lambs." (The NIV inserts the phrase "make an offering of" to make sense of the passage for the English-speaking reader.) The conjunction indicates the association between the foregoing weekday offering and the succeeding Sabbath offering, implying that the entire lemma refers to the same offering, performed in two manners: one for weekdays and another for the Sabbath.

[147] The rabbis ignore this issue entirely, but never declare an affirmative rule of מוספים "supplementary offerings" on Sabbaths and holidays.

contrast to the weekday offering, which is identical on both occasions. Qumran follows its usual simple approach to scriptural interpretation, and its decision seems more reasonable.

J. Campbell, like Fraade, tries to reveal extra-scriptural considerations, similar to the rabbinic *midrashic* interpretive system, in some of Qumran's halakhot.[148] He alleges, for example, that the Qumran rule in 4Q159 (4QOrdin-a) 1ii:9:7–8 of paying the half-*shekel* only once in a lifetime, in contrast to the rabbinic yearly obligation, constitutes an *eisegesis*, practiced by the Qumran author "in line with his community's hostility to the Jerusalem hierarchy." In this way, he contends, Qumran scholars have deliberately taken a halakhic decision that conflicts with Scripture's command, interpreted in its literal sense, because of their hostility to the Jerusalem hierarchy, an extra-biblical motive. I consider this allegation utterly unfounded, both because deciding the rule in this way goes against Qumran's habitual simple interpretive system and because the decision does not conflict with the relevant scriptural command; rather, it adheres to it. The biblical text of Exod 30:11–16 does not contain the slightest hint that the census—performed by a system of counting money, not by the forbidden system of counting heads—constitutes an eternal obligation.[149] From its context, with the preceding and following lemmas commanding the construction of the Tabernacle's artifacts, we might rather deduce that the census, and the money, is a one-time affair for the financing of this undertaking. We observe that Solomon did not make a census, nor ask for a half-*shekel* from every adult male, for the purpose of building the Temple; he conscripted labourers (1 Kgs 5:27–31), but did not request money. 2 Chr 2:17 records that "Solomon took a census of all the aliens who were in Israel" and assigned them work related to the Temple's construction. 1 Chr 28:14–18 records that David prepared the materials for the Temple's construction and left them behind to be used by Solomon; half-*shekel* contributions are nowhere mentioned. Nehemiah's instruction in Neh 10:33 relates to one-third of a *shekel*, and hence has no association with the rules in Exod 30:11–16. Qumran proceeded as usual,

[148] Jonathan G. Campbell, *The Exegetical Texts* (London: T&T Clark, 2004) 28.

[149] There is no explicit prohibition in Scripture against performing a census, but we observe in II Sam 24 the punishment of Israel for the census performed by David and his confession that he sinned by doing so. In Exod 30:12 we read, "each one must pay the Lord a ransom for his life at the time he is counted, then no plague will come on them when you number them," which is considered as an indication of the prohibition of a census.

adhering to the simple meaning of the text, which commanded the donation of one-half of a *shekel* at the census of the Israelites in the desert. It was a one-time event for that generation, at the founding and joining of the עדה, the holy Community of Israel. Thus, Qumran considered that the same procedure should continue eternally at the time of the same occurrence, that is, at the point when youngsters joined the community at their coming of age. This decision has no relationship to Qumran's hostility to the Jerusalemite hierarchy, as Campbell alleges. The claim of *eisegesis* could more plausibly be imputed on the rabbis, who decided on an obligatory yearly contribution without any scriptural support.[150] As I noted earlier, the rabbis considered pragmatic motives in many of their halakhic decisions, and the interests of the community were plausibly the crucial factor in this instance.[151]

I dispute likewise Campbell's assumption that CD-A VI:1–11 contains a symbolic interpretation of the cited verses Num 21:18 and Isa 54:16 that is severed from their original context.[152] This lemma in CD is of the *pesher* genre, similar to 1QpHab, though it is not introduced with the term פשרו, as used in CD-A IV:14 and in 1QpHab. In essence, it actualizes prophetical texts as relating to their period, like the other pesher writings, as is evident from the introductory vv. 1–2: " 'Zadok who have kept the courses of My sanctuary when the children of Israel strayed from Me, they shall bring Me fat and blood' (Ezek 44:15). *vacat* 'The priests': they are the repentant of Israel." The relevant lemma is not a symbolic interpretation of the prophecies, detached from the text; rather, it constitutes *pesher*-style writing of an esoteric character, received by revelation. It is not attained by interpretation, nor can it be classified as such. It is of the same genre as 4Q171, classified by Campbell as the result of the exegetical technique of "specification," and CD-A IV:12–19, classi-

[150] The yearly obligation appears in *m. Šeqal.* 1:1, but we do not encounter in the *Gemarah* either its justification or the interpretational method by which this decision was deduced from Scripture. Only later did traditional commentators attempt to reveal indirect and far-fetched hints at such an obligation from a number of scriptural verses, such as 2 Kgs 12:5 and 2 Chr 24:9. *Mek. Mas. d'Neziqin, parsha* 10, associates 2 Kgs 12:5 with Prov 13:8 in a deliberation perceiving donations to the Temple as a means of atonement.

[151] We encounter in *m. Yad.* 4:3 a similar explicit motive for extending the obligation of tithes for the poor to the territory of Egypt, Ammon, and Moab, which are not included in the relevant biblical command, because they are close to Israel, "so that the poor Israelites could rely on [these tithes] during the seventh year [of the fallow fields in Israel]."

[152] Campbell, *Exegetical Texts*, 28.

fied as the outcome of "atomization."[153] I wonder that Campbell bundled together in one category—"three interpretative methods"—the rabbinic *gzerah shavah* method, which he calls "thematic association" and which was not used by Qumran, with the two (in my opinion, one) *pesher*-type interpretations mentioned above, which were used exclusively by Qumran.[154] They are utterly distinct with respect to both their source and their application.

2.8. Discussion of Fraade's Examples of Narrative *Midrash*

2.8.1. *Example 1: Blessings and Curses Renewed*

Fraade assumes, without hesitation, that Qumran instituted the ceremony of blessings and curses, as recorded in 1QS:18–II:19 on the basis of the biblical ordinances of Deut 27:15–26, though 1QS contains no reference to this passage or even the slightest hint of it, nor does the text of Qumran's blessings have any affinity with that of Scripture.[155] Fraade's analysis and comparison of the rabbinic and Qumranic approaches to the complex and confusing biblical texts in question confirm my proposition regarding the distinction between the two approaches in many respects. As a primary issue, I would comment that with respect to Qumran's approach, the issue of the blessings and curses should be perceived as legal rather than as narrative matter, considering Qumran's contemporary application of the ceremony. His second example of "narrative midrash," the requirement to abstain from sexual relations for three days before entering the Temple, is also definitely a legal, not a narrative, subject. However, since Fraade classifies both of these among the narratives, I will discuss them accordingly.

As I have written elsewhere, Qumran scholars, in contrast to the rabbinic Sages, were not concerned with critical biblical analysis; their literature does not contain the questions and solutions of biblical contradictions that are common in rabbinic literature. As I have hinted above, there is no evidence whatsoever that Qumran's ceremony of curses and blessings is a perpetual continuation of the ceremony on Mount Ebal and Mount Gerizim, celebrated at the entrance to Canaan. At most,

[153] *Ibid*., 29.
[154] *Ibid*., 29.
[155] Fraade, "Narrative Midrash," 51.

Qumran may have adopted the Deuteronomic ceremony as a model for their perpetual celebration, considering it appropriate to establish their ceremony's rules in conformity with the biblical event. However, if indeed they considered Deut 27 to be an obligatory command for a perpetual ceremony, I would argue that they reached this conclusion not by means of a complex *midrashic* exegesis but based on a logical consideration. Just as Aaron's obligation, in Lev 6:13, to offer daily the special *Minhah* evidently applies in perpetuity to his successors, the anointed priests, similarly, the Qumran scholars inferred an obligation to perform the ceremony of blessings and curses in perpetuity.

We observe an identical consideration in 11QT XV:18–XVI:3, in which the elders replace Moses in performing the offerings of the yearly Consecration celebration, specified in the relevant rules for the first celebration in Exod 29 and Lev 8.[156] The addition of the priests for the recital of the blessings, absent in Scripture (a circumstance noted by Fraade), with no attempt to reveal any biblical support, endorses my portrayal of the Qumranic style of reflection. Qumran applied a simple logical consideration: "if the Levites recite the curses, the priests must recite the blessings," as Fraade states.[157] They did not need any *midrashic* support for this decision, and acted in conformity with the model of Chronicles, which added details that they considered missing from Kings for some reason unknown to them.[158] In fact, although Deut 27:12–13 commands the recital of blessings and curses, indicating which tribes should stand on Mount Gerizim, the mount of blessings, and which tribes on Mount Ebal, the mount of curses, only the curses recited by the Levites are listed in vv. 14–26. Moreover, Deut 11:29 commands explicitly that the blessings be given on Mount Gerizim and the curses on Mount Ebal; hence, it is evident that the recital of the blessings and their text are missing from the biblical text. Only the rabbis complement it, recording the text of the blessings without any explanation for their absence in the biblical text.[159] If they used an exegetical process to arrive at their rule, as Fraade

[156] See Jacob Milgrom, "Qumran's Biblical Hermeneutics: The Case of the 'Wood Offering,'" *RevQ* 16: 449–456, on this issue.

[157] Fraade, "Narrative Midrash," 51.

[158] See Heger, *Cult*, 119–120. For example, the bronze altar built by Solomon in 2 Chr 4:1 is missing from the list of the Temple's artifacts built by Solomon in 1 Kgs.

[159] However, one cannot exclude the possibility that they simply did not speculate as to why the blessings are not mentioned in Scripture, as they did not ponder about other biblical inconsistencies, whereas the rabbis did. Moreover, they did not use the biblical text of the curses *verbatim* but, rather, performed the blessings and curses in an actualized manner, appropriate for their period, similar to the method used in the *pesher*

assumes, it was plausibly founded on a logical consideration, similar to the addition of the priests to the consecration ceremony. In general, citing relevant biblical verses and mentioning Sinai seemed to them superfluous, as they appear to have been to the Mishnah's redactor;[160] prominent evidence and sources do not require disclosure or promotion. Qumran scholars did not "rewrite" the relevant biblical texts; they simply used biblical language in composing their texts.[161] In contrast, the later rabbis, who conventionally attempted to support their deliberations by means of scriptural quotations, have done so in this case by "four explicit citations," as Fraade remarks.[162]

Though Fraade quotes the *Sifre Deut, piska* 55, to demonstrate the rabbinic exegetical technique "employing intertextual hermeneutics and dialogical rhetoric," he has overlooked two significant differences between rabbinic and Qumranic interpretation.[163] The first is the declaration that the Levites recite both the curses and the blessings, in contrast to Qumran, where the priests recite the blessings. The second is the circular method applied by *Sifre* to reach a number of decisions by comparing the two commands, with no scriptural basis in either of them. This approach is founded on the superfluous repetition of the command to recite the blessings on Mount Gerizim and the curses on Mount Ebal in Deut 11:29 and 27:12. Fraade quotes the *Sifre*: "Scripture says: 'You shall pronounce the blessing (in singular mode) on Mt. Gerizim.' A [single] blessing precedes a [single] curse, and the [group of blessings] do not precede the [group of] curses. Also to draw an analogy between curses and blessings.

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literature. Qumran may have made the comparison to the discrimination practiced at the choice of the tribes for blessings or curses, and it seemed to them obvious that the same discrimination should apply to the remitters, which would mean favouring the priests. They may also have thought that there was some motive for selecting certain tribes to stand on the mount of blessing, to whom the blessings were directed, and others for the curses, In fact, four of the underprivileged tribes are the descendents of the maidservants, and thus of a lower status. Reuben may have been chosen for his affair with Bilhah, which stained his reputation, and Zebulun, the last son born to Leah, may have been added to bring the total number to six.

[160] The *Mishnah* seldom cites biblical verses to support its halakhot; the few (eight) mentions of Sinai do not function as supporting evidence. Weiss Halivni, *Midrash, Mishna*, 56, is inclined to view all instances of complex *midrash* in the *Mishnah* as later additions.

[161] Bernstein, "Pentateuchal Interpretation," 142, writes, "The author of MMT is heavily influenced by scriptural vocabulary and employs biblical language in composing his work."

[162] Fraade, "Narrative Midrash," 52.

[163] Ibid., 55.

Just as the curses are recited by the Levites, so too the blessings are recited by the Levites. Just as the curses are recited aloud, so too the blessings are recited aloud. Just as the curses are recited in the holy tongue, so too the blessings are recited in the holy tongue. Just as the blessings are general and particular, so too are the curses are general and particular. Just as the curses, both groups answered Amen, so too to the blessings, both groups answered Amen, turning to face Mt. Gerizim for the blessings and toward Mt. Ebal for the curses."[164]

Many specific details are deduced from the superfluous command, though none can be traced to an explicit mention in the scriptural text; on the other hand, there is no attempt to deduce the text of the blessings, particularly if each blessing precedes its "parallel or comparable" curse. The requirement to alternate blessings and curses seems unreasonable and is incompatible with the scriptural text, which enumerates all the curses consecutively, and the same practice, enumerating all the blessings, appears in the succeeding chapter (Deut 28). The biggest flaw in the rabbinic *midrash* regarding the recital of the blessings by the Levites, however, is the fact that another *midrash*, in *b. Sotah 38a*, compares the lemma in Deut 27 with a similar exegesis and deduces various similar particularities to the command of Num 6:23–27, which relates explicitly to the priestly blessings.[165] As is not uncommon in rabbinic literature, one *midrash* relates a biblical verse to one topic and another *midrash*

[164] Translation by Fraade.

[165] We read there, "[It is written in Num 6:23] כה 'So should you [Aaron and his sons] bless' [it intends] in the holy language; you say: in the holy language, but maybe it is not so, and [it may be performed in any language? [No!] it is said here: כה 'so should you bless' and there [in Deut 27:12] 'they should stand to bless the people (abridged in the original)' as there it intends in the holy language, so is it here in the holy language." A similar comparison, of the *gzerah shavah* type, is applied with respect to another detail. It is remarkable that neither in Deut nor in Num is the requirement to be performed in the holy language mentioned; since the text of the blessings in Num and that of the curses in Deut are quoted in Hebrew, the holy language, it is obvious that they must be pronounced in Hebrew, and there is no need to deduce one from the other, particularly when the obligation to use the holy language is not explicitly stated in any of them. Following these deductions are some rhetorical responses that the deductions are not necessary, since one can deduce the same from the exegesis of another term in the command. We read there, "Rabbi Judah says: one does not need this comparison, since it says [in Num 6] כה so, [and that intends to say] it is to be said in this [as the blessings are written in Scripture] language." However, there is no objection to the method of comparison itself as flawed because in Deut the Levites perform the blessing, according to *Sifre*, and in Num the priests. See also p. 94 on the subject of such rhetorical debates.

relates it to an opposite one; this also indicates the feebleness of many rabbinic *midrashim*, and explains Qumran's reaction to the halakhic results attained by this system.

Fraade conjectures that "common features of 'rewritten Bible' may also be discerned in rabbinic midrash";[166] this statement seems to me unwarranted, however, as is the sobriquet "rewritten Bible."[167] The interpretive method and the literary structure of the quoted *midrash* in *Sifre Deut* 31 are utterly distinct from, for example, 4Q252, labeled as "rewritten Bible."[168] The complex *midrash* in *Sifre* is not initiated by a real question to be resolved, in contrast to the explanation of the justified dilemma in 4Q252 regarding the cursing of Canaan instead of Ham.[169] The apparent solution given in *Sifre* is imaginative and it not even hinted at in Scripture, nor could it be perceived as the outcome of a logical consideration, as is the answer given in 4Q252. A fictitious problem cannot stimulate a realistic solution;[170] Qumran does not ask fictitious questions, and refrains from offering imaginative solutions. These distinctions are crucial, and any attempt to reveal common traits between the rabbinic and Qumranic interpretive methods, style, and so on, from this perspective, seems to me unwarranted.

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[166] Fraade, "Rewritten Bible," 62.

[167] See Paul Heger, "Qumran Exegesis: 'Rewritten Torah' or Interpretation?" *RevQ* 85, 22/1 (2005): 61–87, and Heger, *Cult*, 104–121.

[168] We read in *Sifre*: "[It is written in Deut 6:4] 'Hear O Israel, the Lord our God, the Lord is one.' Why is [it] written [in this manner]? Because it is [always] written [in Scripture] 'Tell to the sons of Israel [a.k.a. Jacob]'; it is not written 'Tell to the sons of Abraham or to the sons of Isaac,' solely to the sons of Jacob. Jacob gained the privilege that the [Torah] would be told to his sons, because our father Jacob worried all his life, saying: 'Woe is to me, lest wicked sons will descend from me, as it occurred to my forefathers: Ishmael, who worshiped idols, descended from Abraham.' " Then follows the same citation regarding Esau, who descended from Isaac; and Jacob said: that will not happen to me.

[169] The alleged problem is, Why is it written in Deut 6:4 שמע ישראל, "Hear O Israel," and the answer is, Because in other occurrences it is written "speak to the children of Israel," not "speak to the children of Abraham and Isaac." But the problem is not formulated as a question, indicating the author's hesitance to present it as a question. Indeed, in Deut 6:4 it is not written בני ישראל, only ישראל, the name of the people; the pronouncement "it is not written 'speak to the children of Isaac' " is also no cause for wonder, since "the children of Isaac" would include Esau. In essence, the literary style of the homily indicates that the quotation of the biblical verse serves as a device to associate the result of the author's creativity with a biblical citation.

[170] In fact, the affirmation of Jacob's great piety and his pronouncement that his descendants will be righteous is later questioned. Reuben's mischief with Bilhah is

2.8.2. *Example 2: Revelation Retold*

Fraade elaborates under this heading his theory that Qumran's literature does not engage with the scriptural text, in contrast to the rabbis, who refer their dicta to their scriptural sources, though both claim "that their respective traditions are the successors to what was revealed in Israel via the Torah of Moses."[171] I have already commented, in part, on Fraade's remark that the DSS "contain hardly any exegetical engagement with biblical passages."[172] In reality, they do so in polemical instances in MMT and CD, some of which I have cited above. They do it in a different manner than the rabbis, however, and I have hypothesized the reason for this, but in essence their argumentations כתוב, אמר (with or without the citation of the relevant command), or the expressions אנו חושבים/אומרים "we think/say [that this is the correct understanding of the biblical text]" and their explanations of their decisions, constitute the direct exegetical engagement with biblical passages that Fraade misses in Qumran writings.[173] I have not encountered any reference to revelation, nor to ancestral tradition, in their halakhic argumentations and polemics; the above expressions do not hint at revelation.[174] Expressions such as "it is also written in the book of Moses" (4QMMT 397 frg. 14–21:6) point to a correct understanding of the biblical text, as is explicitly indicated:

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somehow justified, and similarly Jacob's apparently flawed wholehearted devotion to God, as expressed in his conditional dialogue in Gen 28:20–22. Imaginative ideas often clash with facts.

[171] Fraade, "Narrative Midrash," 55.

[172] Ibid., 56.

[173] See, for example, the logical explanation וכהם הנשים "for males and females alike" in CD-A V:10. See also Joseph M. Baumgarten, *DJD* XVII, 11–13, on the connection of the terms כתוב and אמר with the relevant biblical verses. Bernstein, "Pentateuchal Interpretation," 145, writes, "the ultimate framework for the legal code [of Qumran] is pentatetuchal."

[174] Those scholars who assert, as Baumgarten, *Qumran Cave 4.XIII*, 14, writes, that "the Qumranites, unlike the Pharisees, believed themselves to be recipients of revelation and could therefore afford to set forth their laws in apodictic fashion, without scriptural vindication," have a problem with the "repeated formula אנו חושבים." Baumgarten conjectures hesitantly, in defence of that opinion, that "it could perhaps be used to bolster this argument." It is not plausible that Qumran would consider a revelation to need support from human consideration. Further, Baumgarten's postulate that Qumran did not vindicate its rules because they were based on ancestral traditions does not reconcile the terms "it is said" and "it is written," which patently exclude a reference to revelation. These are persuasive substantiations, used in a polemic debate; their ancestral traditions would not convince their opponents, and commonly accepted traditions are not the subject of polemics. On other issues discussed by Baumgarten, ibid., 11–22, see Heger, "Development of Qumran Law."

"that you should understand the book of Moses" (4QMMT 397 frg. 14–21:10). Qumran accuses its opponents of having failed to realize the correct understanding through their inefficient endeavours: "they have neither sought nor examined his decrees" (1QS V:11). Revelation is not mentioned.[175]

The concrete example quoted by Fraade—the rabbinic *midrashim* versus the Qumran rules regarding the required period of three days' abstention from sexual intercourse or a semen discharge before entering the Temple—demonstrates the straightforward, logical approach of Qumran, as opposed to the rabbis' complex *midrashic* method.[176] Fraade discusses only one of the two discrepancies between the divine instructions given by God to Moses in Exod 19:10 and Moses' command to the Israelites in Exod 19:15, deliberated upon in rabbinic *midrash*. *B. Šabb*. 87a quotes from a *baraita* that Moses added the third day of consecration on his own initiative, since in v. 10 the mandate implies a consecration of two days, whereas in v. 15 Moses commanded a period of three days. Moses' decision to add another day is explained by his inference that since God told him to consecrate the people "today and tomorrow," the intent is that both days should include the succeeding nights; hence he commanded them to be ready for the third day, and God agreed to his instructions.[177] In fact, there is no real divergence between the two verses on this issue, since Moses did not say to abstain for three days but to be ready for the third day. I would like to remark that the *baraita* quoted in *b. Šabb*. 87a takes it for granted that God has commanded the Israelites to separate from women for two days, though this is not mentioned in God's instructions to Moses in Exod 19:10.[178] Moreover, the *midrash* asserts that Moses deduces from God's command to the Israelites that he himself should separate himself from women forever.[179] In fact,

[175] See Heger, "Development of Qumran Law," and Heger, *Cult*, 143–145, on the issue of interpretation versus revelation.

[176] Fraade, "Narrative Midrash," 59.

[177] We read there, "Three decisions Moses made on his own opinion, and God agreed with him: he added one day, abstained [forever] from women, and broke the tablets."

[178] The *midrash* here does not question the source of Moses' instruction to separate from women and does not enumerate it among the three commands of Moses to the Israelites, not founded on the divine command, to which God agreed.

[179] We read there, "[He reasoned,] Since to the Israelites, with whom God spoke only in short at a fixed time, Scripture commanded: Be ready and do not approach a woman, the more so I, with whom God speaks always without warning, should behave likewise." We observe the assertion, referring to Exodus 19:15, that God commanded the Israelites to abstain from sexual relations, though the verse states it as Moses' instruction.

the *Mek. Debehodesh, parsha* 3, cited by Fraade, does not examine the apparent divergence of the third day, cited above, and refers only to the topic of Moses' command that the men separate from the women, which is absent from God's instructions to him. We read there, "We have not heard that God said to separate from women, only to be ready," and the text proffers two solutions that demonstrate the frailty of the supposed enigma, and particularly of the rabbinic solutions. The first answer is "[we know it from a *gzerah shavah*]; in both instances it is written היו נכונים 'be ready,' and that teaches us, as the expression 'be ready' means here [in v. 15] to abstain/separate from sexual relations, likewise the expression 'be ready' there [in v. 10] also signifies to abstain." Aside from the general weakness of the *gzerah shavah* method, as discussed above, its application in this instance is utterly flawed.[180] If the clarification had appeared in the divine command and were missing in Moses' instructions, the comparison could logically have been considered a valid rabbinic solution: since the obligation to abstain from sexual relations appears in God's command, it is reasonable to assume that Moses conveyed it to the Israelites and that it is not mentioned to avoid undue repetition. However, since in fact it appears in Moses' instructions but *not* in the divine directives to him, this line of reasoning does not solve the problem even within the boundaries of the rabbinic exegetical method. The second answer implies that the expression "go to the people" (Exod 19:10) [and tell them to consecrate three days] is superfluous [if it refers solely to the command to take a bath] and, therefore, [this expression] denotes: "God said to Moses [to go to the people and tell them] to separate from the women."

In fact, one could conjecture that there is no authentic inconsistency between v. 10 and v. 15 with respect to Moses' instruction to separate from women. It is common in Scripture, as in everyday life, for details missing in one mandate to be stated in another, similar mandate. God commanded Moses וקדשתם "consecrate them," without indicating the exact character of this procedure. Since the term קָדוֹשׁ is associated with avoiding sexual misdeeds and similar acts of desecration Lev 20:26 and with the limitation of the priests' sexual partners in Lev 21:7, 8, and 15, it seems reasonable to assume that the command וקדשתם intends the abstention from women.[181] We observe that, indeed, Qumran uses

[180] See p. 29, nn. 54–55; p. 32.

[181] The subsequent command in v. 10, וכבסו שמלתם "and have them wash their clothes," with the conjunction "and," specifies that it refers to a supplementary command, conveyed in the antecedent command וקדשתם, whose exact procedure is not spelled out but is

the term וקדשום "sanctify them" for three days before a judgment of the Council of the Community (1Q28a (1QSa) I:26), and it is most plausible to assume, given their opinion on the extreme gravity of the pollution caused by sexual relations, that they intend abstention from such activity.[182]

I wish to emphasize that this apparently critical analysis is not intended to depreciate my esteem and respect for the *midrashic* method, whose significance is not the subject of this study. In order to perform an effective and convincing comparison between the Qumranic and rabbinic interpretive systems, however, I have been compelled to "lay bare" the latter's exegetical methods.

Qumran's interpretational method does not require any complex exegesis to arrive at the rule of three days' abstention before entering the Temple; to them it seemed a clear-cut case. Fraade convincingly explains Qumran's logical association of the custom requiring three days of abstention by the Council with the purity requirement to enter the Temple and standing at Mount Sinai at God's epiphany. I can limit myself to conjecture about the three days, instead of one day, for entering the Temple. The relevant biblical instruction implying that one remains in a polluted state for one day after intercourse or sexual discharge (Lev 15:16–18) does not clarify the extent of the limitations of one-day polluted state or the degree of purity that one attains the next day. Deut 23:11 is more specific, and allows entering מחנה "the camp" the next day, which stimulates a logical conjecture that entering the Holy Temple may require a higher degree of purity than entering the camp.[183] We observe

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assumed to be well known. Scripture uses often euphemisms to denote sexual intercourse, as for example the term ידע, literally "to know," or more often בוא "to come"; the real meaning of these terms is understood by erudite readers.

[182] James C. VanderKam, "Sinai Revisited," in *Biblical Interpretation at Qumran* (ed. Matthias Henze; Grand Rapids, MI: Eerdman, 2005), 44–60, demonstrates the crucial influence of the Sinai event on the group's image, as implied from the text of 1QS, the Community Rule, with particular emphasize on sexual abstinence.

[183] A rabbinic maxim appears in *Mek. Jethro, parsha* 8, and in many other instances: "[it is written in Exodus 20:12] honor your father and your mother so that you may live long [and from this we understand that] if you do not [honor them] your life will be shortened, since the text of the Torah is to be understood [as being written] in an abbreviated style: from a positive utterance [we understand] its negative opposite, and from a negative utterance [we understand] its positive opposite." We do not know whether Qumran adopted such a method of consideration, and I conjecture that they did not generally apply it, but it does represents a straightforward logical contemplation that they may occasionally have employed, particularly with respect to an issue that would fit their general attitude, as in our current subject, due to their enhancement of the Temple's

in 4QMMT 394, frgs. 3–7 II:16–17, "The Temple is the place of the Tent of Meeting, and Jerusalem is the camp; and outside the camp is outside Jerusalem."[184] Hence, since the Temple is of a higher degree of sanctity than the camp, a strictly logical consideration would suggest that for someone entering the Temple, more than one day's abstention should be required.[185] Sinai served as an indication of the extent and practical application of this rule, that is, a three days' abstention.

Fraade's conjectures about rabbinic and Qumranic contemplations do not deviate, in essence, from my assumptions about this issue. Fraade, however, does not consider Qumran's rules to have been generated by attentive but uncomplicated simple-sense analysis of the relevant biblical verses.[186] Therefore, he misses their engagement with Scripture, which definitely exists and which is perceived by my approach. Qumran adhered, like contemporary "fundamentalists," to the literal biblical text, as we can observe with respect to the requirement that one must reach twenty years of age before participating in the Passover meal as a

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incomparable status of sanctity. Though the *Mek.* uses the term נדרשין, this exegetical rule is founded on a simple, logical contemplation and is not included in the Thirteen *Middot* of rabbinic *midrashic* exegesis, similar to the logical formula דבר הכתוב בהווה (see p. 96).

[184] See Heger, "Development of Qumran Law," 198–200, on the parallel rabbinic rules about the three camps and their different degrees of holiness. Qumran's rule could thus have been originated by non-sectarians, and Bernstein, "4Q252 Rewritten," 25, writes that "such overall interpretation should be categorized as simple-sense interpretation."

[185] In fact, the rabbis also have varied requirements for regaining purity for different ritual applications. They required only bathing for the priest who burns the red Heifer, but in addition waiting for sundown for eating Terumah and for bringing an offering, for example, by a woman who has given birth (*b. Yebam. 74b*). See the rabbinic citation and justifying exegesis in Heger, *Cult*, 294. As we know, Qumran did not agree with the rabbinic *midrash* and required waiting for sundown for the priest who burns the red heifer (4Q277 (4QTohorot B-b) 1ii:0–2). On the other hand, I would not agree with Jacob Milgrom, "First Day Ablutions in Qumran," in *The Madrid Qumran Congress: proceedings of the International Congress on the Dead Sea Scrolls, Madrid, 18–21 March, 1991* (ed. Julio Trebolle Barrera and Luis Vegas Montaner; Leiden: Brill, 1992) 2:561–570, cited by Baumgarten, "Tannaitic Halakhah," 4, who seems to accept Milgrom's proposition that the different requirements of cleansing are due to different layers of impurity. This is true with respect to the impurity of coming into contact with the carcass of an impure animal or of being in a room with a dead person, but Qumran's requirement of three days for entering the Temple and one day for entering the camp is due to these places' different grades of holiness, which required different degrees of cleansing, not to individuals' different degrees of impurity.

[186] H.K. Harrington, "The Halakhah and Religion of Qumran," in *Religion in the Dead Sea Scrolls* (ed. J.J. Collins and R.A. Kugler; Grand Rapids, MI: Eerdmans, 2000), 74–89 at 77, writes that the interpretations of the biblical law in the Scrolls "are logical, straightforward interpretations of Scripture."

member of the community (11QT19 XVII:6–9).[187] The rabbis, in contrast, permitted minors able to eat a quantity the size of an olive from the Passover offering to be counted among the participants.[188]

2.9. Conclusion

Following the exposition and discussion of Fraade's articles, I will follow the sequence of the conclusion of his more recent investigation of Qumran's narrative *midrash*, indicating the differences between his viewpoint and my own. Generally, it seems to me that Fraade, in pursuing his aim of categorizing Qumranic writing, is predisposed by the rabbinic *midrashic* interpretive system and style, which constantly emphasizes the biblical source of the rabbis' decisions. One has the impression that in his attempt to explain the differences between the Qumranic and rabbinic modes of writing/interpretation, he considers the rabbinic manner normative, and the divergent Qumranic style as requiring elucidation or justification. A similar approach is taken by G. Brooke.[189] In analyzing Qumran literature and ideology, we must try, as far as possible, to liberate ourselves from our predispositions, acquired through the study of rabbinic literature, and review them on their own merits.

I will attempt to comment objectively on the four options that Fraade postulates to explain the differences between the two systems. However, since my approach to the issue of Qumran exegesis differs from Fraade's

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[187] Num 1:2–3 establishes the age of twenty to be a member of עדת ישראל "the Community of Israel," and, according to Qumran's view, the same applies to all obligations of its members, including participation in the Passover offering. It is a clear logical consideration that when a detail of a subject is indicated in one instance, it need not be mentioned in every other instance referring to the identical subject. See Heger, *Cult*, 99–102, for an extended study of this issue.

[188] See *m. Pes.* 8:7. Only slaughtering an offering exclusively for minors is not allowed. See an extended deliberation about this issue in Heger, "Stringency in Qumran?" 201–203.

[189] Brooke, "4Q252 Early Commentary," 390, is reluctant to presume in some Qumran texts "some direct correspondence with much later rabbinic texts … because it risks historical anachronism … because it is problematic to suggest that there is some kind of continuity between Qumran and rabbinic exegetical texts." This statement results from the allegation that the connection between Qumran and rabbinic approaches to exegesis implies an influence of the normative rabbinic method on Qumranic literature. This allegation represents an inverse consideration of the connection's trajectory; that is, narratives in circulation in Israelite society at the period of Qumran, preserved and recorded in writing by the rabbis, would evidently not be anachronistic. See above p. 26, n. 41.

in its basic concept, and is integrated within a broader view of Qumran theology, there may be overlapping and intermixing between the options and the underlying ideology. According to my view, the problematic designation "rewritten Bible"[190] is eliminated by the proposal to perceive these writings as original Qumranic halakhic or hortatory writings founded on a simple, logical, and literal interpretation of the relevant scriptural texts and composed in biblical language.[191] Verbatim biblical phrases are interlaced with inexact biblical utterances and with original Qumranic compositions, intertwined with biblical texts from different sources, which became an integral element of their narrative.[192] Since, in their view, their interpretation of the biblical text is correct, it has the same authority as the biblical source and can be interlaced in it.

Progression as an explanation for Qumran's divergent style does not seem plausible, since the *pesher* writings, originating from the same period, are composed in a manner similar to the rabbinic style, that is, an exact rendering of the relevant biblical verses and an indication of what

[190] Fraade, "Rewritten Bible," 60, writes, "Problems with the designation 'rewritten Bible' have been rightly noted." Bernstein, "4Q252 Rewritten," 25, cites a significant statement by E.D. Hirsch, *Validity of Interpretation* (New Haven: Yale University Press, 1967), 75: "Without helpful orientations like titles and attributions, readers are likely to gain widely different generic conceptions of a text, and these conceptions will be constitutive of their subsequent understanding." Incorrect titles are even more hampering to unlimited research and new conceptions; I consider the classification "Re-worked" or "Re-written" Bible incorrect and thus damaging to genuine research activities. On this issue see Heger, *Cult*, 117–121.

[191] Bernstein, "Interpretation," 380, writes that "the MMT actually employs scripture as the model for its language" and that "the Hodayot are composed in language that is saturated with that of the Bible." Fraade, "Rewritten Bible," 60, classified the various writings into those that blur the boundary between biblical text and interpretation and those that differentiate the two. He bundles together in the latter category Philo, the Dead Sea Scrolls, and rabbinic *midrash*, but then writes that "a great variety of interpretative writings from second temple times which lack these formal traits of commentary have been lumped together under the rubric … 'rewritten Bible.'" One must assume that the writings in question are included in the Dead Sea Scrolls, and thus this statement is inconsistent with his previous assertion. However we classify these writings, this inconsistency demonstrates that it is crucial to the examination and classification of the Dead Sea Scrolls that we categorize them according to their specific types, as I have suggested, not according their modes of interpretation, a method of classification that is not sustainable.

[192] See Heger, *Cult*, 117–121, on the amalgamation of texts from different sources in non-biblical writings from the Qumran Library. Kister, "A Common Heritage," 101, perceives a resemblance between Scripture and Qumran texts, "underscored by the use of biblical language and biblical motifs in the sect's writings."

period, event, circumstances, or personality the text refers to. This style, then was known to Qumran and was applied by them for a particular purpose for which they considered it appropriate, but not for other genres of their literature. Although the *pesher* literature demonstrates a stylistic affinity with rabbinic *midrash*, these texts are not *midrash* in their basic essence; they are, in fact, *sui generis*.

Secondly, Fraade misses in Qumran literature the exegetical engagement with biblical passages that is the hallmark of rabbinic literature, and alludes to a possible disregard of the Sinai revelation in favour of Qumran's particular, continuous revelation.[193] I think that nothing could be further from the truth. The *Mishnah* does not cite biblical support for its dicta, but there is no doubt that they depend on Scripture;[194] likewise the members of the Qumran community.[195] The fundamentalist Qumran community could not have ignored the Pentateuch, the foundation of the everlasting association of Israel with the Deity, given by God to the Israelites at Sinai. On the contrary, they were extremely attentive to its precise text, which they revered as the words of God; they did not make any changes to these writings, and they accused their opponents of distorting its commands and message through their twisted interpretation. The fact that Qumran accused their opponents of incorrectly interpreting Scripture demonstrates their extreme reverence for and adherence to Scripture.

Fraade's third option—explaining the distinction between the two corpora as resulting from a different relationship between the authors and their audiences—has some affinity with my explanation of the omission of implicitly announced biblical verses in Qumran literature. On the other hand, whereas Fraade suggests the relationship between author and audience as a possibly crucial motive for the differences between rabbinic and Qumranic literary styles, I perceive the relationship of the interpretation to the original biblical text as the essential motive for the conflict between the two approaches.

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[193] See Heger, "Development of Qumran Law," 167–206, particularly under the heading "Inspiration versus Revelation," 179–181, on the distinction between the acquisition of correct halakhic and esoteric matters.

[194] The Talmudic question referring to the *Mishna*'s decree מנא הני מילי "wherefrom [the Torah] do we know it" does not ask for the source; the question is, rather, how do we know *from the known scriptural command* the exact details of the particular halakhah, which are not precisely defined in the text.

[195] See above pp. 37–38 for an explanation of this manner of writing.

I do not comment on Fraade's fourth conjecture, that the differences between Qumranic and rabbinic interpretations "reflect different attitudes not just to the biblical texts, but also to the biblical past"; I do not conceive that the two groups' different approaches to eschatological contemporization would have affected their exegetical methods or the style of their writing, as I have postulated and substantiated in this study.

I believe that the above-mentioned differences indicate my perceptions of the Qumranic interpretive system and style of writing, as opposed to their rabbinic/pharisaic parallels, and explain Qumran's vehement, and sometimes virulent, opposition to the latter.

Excursus I: Review of Vermes' Interpretive Methods of Qumran

Vermes has laid the foundations of Qumran's biblical interpretation,[196] attempting to portray a general system classified according to the different methods applied in the process.[197] I doubt the usefulness of a categorization that attempts to devise a coherent system for a literature created by authors who did not have this intent in mind. A rigorous classification restrains the intellectual disposition to undertake an uninhibited scrutiny of each case according to its specific topic. I will nevertheless discuss these classifications in light of examples cited by Vermes, make my comments within the frame of my overall view about Qumran's general attitude to biblical exegesis, and compare each case with the parallel rabbinic halakhah.

Grouping and Collating Parallel Texts

Vermes' example of Qumran's extension of the prohibition on planting Asheroth to the entire land, even though the relevant scriptural command prohibits planting an Asherah only near the altar, is amply discussed above (p. 33) and compared with the rabbinic halakhah.

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[196] Vermes, "Bible Interpretation."

[197] Bernstein, "Interpretation of Scriptures," offers a similar classification using different terminology. Milgrom, "Qumran's Biblical Hermeneutics," calls Vermes' "grouping and collating parallel texts" "homogenization."

Harmonizing Expansions

Vermes quotes the harmonization of two prohibitions relating to blood—the command not to eat blood but to pour it out (Deut 12:23–24) and the command not to eat it but to pour it out and cover it with earth (Lev 17:13)—and the harmonization effected by the TS (11Q19 (11QTemple-a) LII:11–12), requiring covering the blood of all animals, even though this command appears in Lev only with respect to hunted (wild) animals and birds. This expansion, too, should be perceived as a logical extension, a *hekesh* type, or similar to a *Binyan Av*, the third *Middah*;[198] this approach is justified because the legal character of the blood of all the animals and birds cited in Scripture is identical. Throughout Scripture, the ingestion of any blood, whatever its provenience, is prohibited. In Lev 7:26, the general prohibition on all blood is supplemented by the explicit mention of "bird" and "animal"; in Lev 17:10–13, which prohibits eating the blood of sacrifices on pain of punishment by *karet*, Scripture adds explicitly (v. 13) that the identical rule and punishment apply the ingestion of hunted animals and birds;[199] in Deut 12:15–27, in the extended lemma about the prohibition on eating blood, hunted animals (gazelle and deer) are twice compared with animals appropriate for offerings (vv. 15 and 22); in Deut 15:22–23, at the prohibition on eating the blood of blemished animals that cannot be offered as sacrifices, gazelle and deer are mentioned together in relation to this rule. The justification for the prohibition on eating blood—because blood is "the life of the creature"—appears in both extended lemmas (Lev 17

[198] I use the term *hekesh* because of its philological meaning, "comparison," which suits the exegetical method applied. The rabbinic *hekesh* method, however, is often also used at random when two issues, not thematically identical, are quoted together in Scripture, a method similar to the illogical *gzerah shavah*. See pp. 29–30 for a deliberation on the different applications of this interpretive system by Qumran and the rabbis. We observe that the rabbis did not adhere strictly to their own exegetical rules, either, and the traditional commentators have different opinions of the correct applications of those rules. As noted above, a strict classification for the exegetical rabbinic and Qumran rules is not appropriate, since these rules are used indiscriminately in different circumstances. There is no compelling motive to impose on Qumran by deduction rules that they themselves did not disclose. Brewer, *Techniques and Assumptions*, 226, explains the *Middah* of *Binyan Av* as follows: "What is stated in one text applies in all similar texts." One could also use for comparison *Middah* 19 of the thirty-two *Middot* of Rabbi Eleazar: "What is said [in Scripture] for one topic is equally valid for its similar topic."

[199] Scripture does not explicitly define the term *karet*, which seemingly denotes severe punishment, and there are many opinions and speculations about its character.

and Deut 12), which, as we have seen, include all animals (Lev 17:11, Deut 12:23), both those appropriate for offerings and those that are hunted.

We should also consider the different contexts of the biblical prohibitions on eating blood; some refer to offerings, some to animals appropriate for offerings but profanely slaughtered because of being far from Jerusalem or because they are blemished, and some to hunted animals and birds. Some are short and to the point, simply indicating that eating blood is prohibited; only two lemmas, in Lev 17 and Deut 12, are extended, citing theological justifications for the prohibition and describing how to dispose of the blood: the blood of the offerings is to be poured on or beside the altar, and the blood of animals not brought to the altar is to be poured on the ground and covered.[200] The simple meaning of the expression תשפכנו כמים "pour it out like water" in Deut 12:24 does not express a command on how to dispose of it; it is similar to the statement "throw it to the dogs" (Exod 22:30; v. 31 in KJV), regarding the meat of a torn animal. Just as, in the latter case, Scripture intends to emphasize that one must not eat the meat but does not intend to convey that this is the only possible way to dispose of it (one may give it to an animal other than a dog, bury or burn it, give it to an alien living in Israel, or sell it to a foreigner, as explicitly written in Deut 14:21), the same is meant here, in Deut 12:24. We read there: "do not eat it; pour it out on the ground as you pour water"; the second part of the sentence complements the first, but one may dispose of the blood by covering it. The edict "pour it like water" is intended to convey that one must not use the blood for any other purpose. In Lev 17:13, Scripture commands how to dispose of it: pour it out, and cover it decently, because it contains the life of the living creature. The blood is not comparable to the meat of a torn animal, which an Israelite may not eat but may use for other purposes; the blood may not be used, and must not be eaten even by an alien (Lev 17:10 and 12). I would add here that the eating of blood had probably a magical or idolatrous significance.[201] Anthropologists are aware of customs such as eating body

[200] We read in Lev 17:11–12, "For the life of a creature is in the blood, and I have given it to you to make atonement for yourselves on the altar; it is the blood that makes atonement for one's life. Therefore I say to the Israelites, 'None of you may eat blood, nor may an alien living among you eat blood.'"

[201] In fact, the prohibition "do not any meat with the blood still in it" (Lev 19:26), is an interpretation, founded on 1 Sam 14:32–33, where such a translation fits the context. But in Lev it is bundled together in the same verse with the command "do not practice divination or sorcery," which implies an association with magical powers.

parts of defeated prisoners in order to gain their power or with derogatory intent, or using some parts of their bodies in a defamatory way (for example, I have seen human teeth inserted in a chamber pot). The fact that Scripture exhorts against the desire to consume blood—literally "be strong not to eat the blood" (Deut 12:23)—and the many prohibitions against eating blood, plausibly demonstrate the strong allure of eating blood.[202] The emphasis on the blood's sanctity justifies the motive for disposing of it in a respectful way, prohibiting giving or selling it to another (like the meat of a torn animal), and covering it with earth, as one buries a person. The comparison of all blood, the life of all living things, to the blood of sacrifices is the motive for its reverential disposal.

There is no valid reason to be adduced against equalizing the obligation to cover the blood of all animals, since it is the life of the creatures and its digestion is forbidden; and Qumran, presumably on the basis of such a consideration, decided that every type of blood, כל דם "the blood of any provenance" mentioned in Lev 7:27 and 17:10, must be covered. It is also, in my opinion, the outcome of a logical conclusion that since Scripture equates the blood of all living creatures with respect to prohibiting its ingestion, the same should apply with respect to its disposal, when not used at the altar. However, the rabbis took another path: they extended the obligation to cover the blood to domesticated birds, such as hens and geese, by a *midrashic* ריבוי method,[203] but did not apply this or a similar exegetic method with respect to covering the blood of domesticated animals.[204] The potential assumption that, in considering the obligation to covering the blood, they distinguished between animals appropriate for offering at the altar and those that are not suitable has a flaw. The relevant Mishnah and its commentators quote indiscriminately the term עוף "birds" and emphasize that it applies to both undomesticated and

[202] The translators of the KJV and NIV translate this "be sure not" or "make sure," but literally the term חזק means "strong." The LXX translates it as προόσεχε ἰσχυρῶς "hold fast against."

[203] We read in *b. Hulin* 84a, "We learned in a Baraitha: [it is written] 'who hunts' [Lev. 17: 13] this intends only something he will hunt, how do we now that domesticated birds such as gooses and chicken [are also included in the command?] [A] It says a 'hunt' [the Hebrew text doubles its expression יצוד ציד and] this [unnecessary term] comes to teach us that it includes any type of fowl."

[204] We read in *m. Hul.* 6:1, "the [command] to cover of the blood is applied in Israel and outside it, at the period of the Temple and without it, for secular slaughter, but not for sacred, and applies [also] to available domesticated wild animals and birds such as deer, chicken and goose."

domesticated birds; thus the blood of doves, which are appropriate for offerings and whose blood is poured at the altar (Lev 1:15), is also included in the obligation to be covered, like that of wild animals. It seems odd that, in this instance, the rabbis used exegetical methods to extend the obligation to cover the blood of domesticated birds but avoided the possibilities at hand, used on many similar occasions, to extend it to all animals. As I have argued elsewhere, the rabbis practiced selective *midrash*, according to their preconceived viewpoints about how the halakhah should be constituted in the pertinent circumstances. They made their decisions, based on diverse considerations, and then justified these decisions by means of suitable exegesis.[205]

Vermes also seems to assume that Qumran's decision on the issue of the blood covering is a simple, logical "harmonizing expansion" that does not require any complex "*midrashic*" type exegesis. If I understand correctly his distinction between the extension of the prohibition to plant Asheroth, classified as "grouping and collating of parallel texts," the method he calls "harmonizing extension," the first is founded on an exegetical method, duly explained by Vermes, in contrast to the simple and obvious harmonization with no need for any particular exegetical method.[206] In my opinion, Qumran's halakhot on the topics of the covering of blood and the planting of Asheroth demonstrate that the interpretive methods identified by Vermes as "grouping and collating parallel texts" and "harmonizing expansion" are essentially identical; both are based on simple logical considerations, without any application of a particular exegesis. Since Vermes distinguishes between the two methods, this indicates, as it seems to me, that the assumption suggested above is the basis of his decision. The rabbis used a *kal wehomer* exegetical method for the extension of the Asherah rule, and this demonstrates, as I have argued, that their decision to proceed in this way was founded on their antecedent consideration that doing so is appropriate in this instance. They avoided doing the same with respect to the covering of blood, based

[205] See Heger, *Pluralistic*, 24–27, 136 n. 129. Rimon Kasher, "The Interpretation of Scripture in Rabbinic Literature," in *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity* (ed. Martin Jan Mulder, executive editor, Harry Sysling; Assen: Van Gorcum; Philadelphia: Fortress, 1988) 547–594 at 577, writes that "the *derash* [rabbinic hermeneutic] approach poses the question of 'what the Bible means' " rather than " 'what the bible meant' " in the *peshat*, its simple straightforward interpretation.

[206] See discussion of the extension regarding the idolatrous artifacts on p. 32.

on a different consideration, and interpreted these biblical rules literally. They were selective in the application of their interpretive methods, as I have argued above, for motives that we cannot always grasp.

Clarifying Additions

As an example of this classification Vermes cites the biblical lacuna regarding the undetermined meaning of the term רחוק "far" from the place chosen by the Lord, indicated in Scripture (Deut 14:24) with respect to the second tithe, which may be exchanged for silver instead of bringing it *in natura* to be consumed there. This issue is discussed at length on pp. 23–25.

Recasting and Supplementation

Vermes' example of this classificiation—the additional requirement for the captive woman to wait seven years before being fully integrated into the group with respect to purity issues—seems to me not the result of an exegesis, the subject of our inquiry, but the outcome of a logical consideration of the underlying circumstances.[207] In fact, Vermes too calls this a "quasi-exegetical method."[208] We must consider, in first instance, that Qumran practiced stringent purity rules with respect to the integration of new members into their community and the reintegration of sinners, without pretending any scriptural basis for doing so. A waiting period of two years is stipulated before a new member may touch all the Community's pure foods, and a period of seven years for the repentant sinner.[209] Likewise, we encounter an array of regulations in Qumran writings, instituted for the orderly conduct of the daily life of the Community, that evidently do not claim biblical origin. The author of the TS decided on a waiting period of seven years before the captive alien woman could share

[207] We read in 11Q 19 (QTS) LXIII: 14–15, "But she shall not touch your pure stuff for seven years, and she shall not eat a sacrifice of peace offering until seven years pass; only then she may eat."

[208] Vermes, "Bible Interpretation," 187.

[209] See 1QS VI: 17–21. The period of two years is divided: after the first year he may share dry food, but liquids may be shared only after an additional year has passed. On the difference between the two stages see Jacob Licht, *The Rule Scroll* (Hebrew; Jerusalem: Mossad Bialik, 1965), 146–147. In his Second Appendix (294), Licht draws attention to the points of contact between the rabbinic and Qumranic rules related to purity laws, as for example the difference between the purity regulations for solids and those for liquids, practiced by both. On the seven years for the sinner, see CD XII:5.

the community's pure foods and the consummation of sacred offerings, similar to the requirements for a sinner before his total reintegration and the sharing of purities. It is plausible that the extension of this limitation to include eating the sacrifices resulted from a consideration that to do otherwise would result in the inconceivable proposition that the Community's food was holier than the offerings at the Temple, which were definitely the most holy food.

I think that the above explanation, proposed by Yadin and quoted by Vermes, is a most plausible one, and should not have been refuted by Vermes. The TS does not divulge the motive for its decision on this issue, but scrutiny of the CD text justifies the comparison of the captive woman to the man who went astray.[210] We read there, "for it is the task of men to guard him; and if he is cured of it, they shall guard him for seven years and afterwards he may enter the assembly."[211] It is evident from the text that the author's decision relies on logical, practical thinking and not on an interpretation of the biblical text. It is also clear that the repentant sinner must be watched for seven years not by way of punishment, as Vermes assumes, but to ensure that he does not relapse into his previous wrong behavior. The term עונש "punish" is not mentioned, as it is in other circumstances, which demonstrates that this is not a punishment.[212] Moreover, the motive for the long waiting period is explicitly stated: "to guard him … if he is cured."[213] The same apprehension should logically

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[210] CD-A XII:4–6.

[211] Translation from García Martínez and Tigchelaar, *Dead Sea Scrolls Study Edition*.

[212] The shorter periods of suspension from full membership in the Community (through temporary invalidation of purity status) for lesser felonies, enumerated in 1QS VI:24–VII:18, should be considered punishments, as is evident from the recurring term עונש "punish" in that lemma. The terms עונש and בדל "exclusion" are used indistinctively, but it is evident that עונש relates both to the suspension and to the curtailment of the offender's food ration. See Joseph M. Baumgarten, "The Cave 4 Versions of the Qumran Penal Code," *JJS* 43 (1992): 268–276 at 273–274. Baumgarten speculates that the exclusion described in the CD may refer to a suspension from participation in communal deliberations rather than to a degradation of purity status.

[213] Similarly, a member of the Community who inadvertently fails is also not punished, but must be taught for a year, and then, "according with his knowledge, [he will approach]" (CD-A Col. XV:14–15). The text uses in this instance the term שגה, an unintentional sin, the root of the expression בשגגה (Lev 4:1), which implies a sin-offering. But the seven years' scrutiny applies to a man who sinned willfully, since in that circumstance the term יתעה "to go astray" is used, corresponding to the use of this term in 2 Kgs 21:9 ("Manasseh led them astray, so that they did more evil") and in Isa 3:12, 9:15, 19:13; Jer 23:13, 32, 50:6; Ezek 44:10, 15, 48:11; Hos 4:12; and many other instances in Scripture. The NIV and other translations render the phrase in Gen 20:13 as "When God made me

be reserved for the captive woman, who was educated and performed iniquitous deeds for a longer period than the community member who unexpectedly went astray; therefore, she must remain under scrutiny for seven years before being fully integrated in the holy community, to ensure that she has definitely rejected her previous ways and will not relapse.[214] It is more appropriate to compare her to the man who has gone astray and requires seven years of instruction and supervision than to an Israelite novice, who has no evil past and therefore requires only two years of teaching and supervising to be fully integrated.

Though no exegesis of a biblical command is associated with this Qumranic rule, Vermes, like other scholars, attempts to reveal Qumranic interpretation methods similar to rabbinic exegesis. I believe that we must clearly separate the interpretive approaches of the two corpora, which are founded on essentially opposed ideological attitudes, as I have argued at length elsewhere (pp. 7–8). It is remarkable that in a similar case, the rabbis also did not claim exegesis of a biblical source for their halakhic decision, which was founded on a practical consideration; instead their method goes hand in hand with Qumran practice. I refer to Vermes' citation of the rabbinic rule in Pseudo-Jonathan (Deut 21:13), quoted in *m. Yebam*. 4:10, requiring a waiting period of three months before a widow or divorcee may marry another man.[215] Vermes states that this rule is not mentioned in Scripture; and, indeed, it was instituted by the Sages for practical, logical reasons: to identify the paternity of a child born seven months after a woman's second marriage. The same pragmatic consideration was the foundation of Qumran's rule, discussed above, on the various waiting periods; no exegesis, no "recasting" and no "supplementation." However, it is remarkable that the TS does not discern in this case, as in another similar one, between purity laws valid for all

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wander," which is an interpretation and does not represent the translation of this difficult text. *Tg. Onq*. interprets it as follows: "when the peoples of the land strayed worshiping their own created idols, God has attracted me to worship him with awe."

[214] Friedrich Avemarie, "Tohorat Ha-Rabbim and Mashqe Ha-Rabbim, Jacob Licht Reconsidered," in *Legal Texts and Legal Issues: Proceedings of the Second Meeting of the International Organization for Qumran Studies, Cambridge, 1995: Published in Honour of Joseph M. Baumgarten* (ed. M. Bernstein et al.; Leiden: Brill, 1997), 215–229 at 217, writes that the waiting period of seven years for the alien woman is not only perceived as a punishment but is, in his opinion, a change of status. Harrington, "Religion and Halakhah," 83, considers the captive woman impure for seven years.

[215] We read there, "and all other women [divorced or widowed] must not be engaged or marry before [the passage] of three months [from the date of the death of the husband, or the date of the divorce]."

Israelites and stricter rules obligatory only for members of the Yahad community, apparently imposing the stricter rules on all Israelites.[216] This is an issue outside the scope of this study.

Exegesis of Individual Biblical Books

Vermes divides this category into two groups: the "Rewritten Bible" type and the Qumran *pesher*. In the "Rewritten Bible" type, however, he bundles together *GenApo* and 4Q252 literature, which is a distinctive form of Qumran writing to which it would be superfluous to revert again in this comparison. I do not consider the actualization of the *pesher* writings to be "clarifying additions," Vermes' term for the portrayal of the individual books, and neither would I tend to attribute this characteristic to the *Gen Apo* narrative. 4Q225, 4Q252, and similar writings labeled "Rewritten Bible" could be classified, in my opinion, as "clarifying or embellishing additions," but Vermes does not classify them as such. I conjecture that *Gen Apo* consists of a collection of stories related to biblical narratives, compiled together—something like a type of historical fiction, in modern parlance, but not biblical exegesis.[217] In contrast, 4Q225 and 4Q252 are interlaced with the relevant biblical narratives and have the character of biblical interpretation. I have written about the accretion and creation of narratives devoid of biblical sources briefly in this study, and more extensively in another chapter.[218] This review clarifies further the different approaches to the issue of Qumran exegesis.

Excursus II: Extra-scriptural Halakhot in Rabbinic Literature?

Azzan Yadin, in analyzing rabbinic halakhic literature, uses phrases such as "extra-scriptural halakhot" and asserts that "Scripture is relegated to secondary status" in the Mishnah.[219] Though my general opinion on the

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[216] See, for example, Baumgarten, "Tannaitic Halakhah," 4–5, on the two different purity rules, one for "for every man of Israel" and a stricter rule "for every pure man."

[217] Daniel K. Falk, *The Parabiblical Texts: Strategies for Extending the Scriptures in the Dead Sea Scrolls* (London: T&T Clark, 2007), 41, writes that *Gen Apo* is "a scriptural text in a new narrative that seamlessly incorporates interpretation, clarification, harmonization and supplementary traditions." Bernstein, *EDSS*, 381, writes that *Gen Apo*'s goal "appears to be the creation of smoother narrative by furnishing information to the reader."

[218] See ch. 3, "The Attribution of Modern Concepts to Authors and Readers of Ancient Texts," p. 103.

[219] Yadin, "Resistance to Midrash."

system of rabbinic interpretation is not essentially divergent from Yadin's approach, I dispute his radical claim that the rabbis made use of "extra-scriptural" considerations, which I do not perceive as representing the rabbis' intent; their efforts to demonstrate their adherence to the biblical text are remarkable, and such expressions are therefore misleading.

Yadin first presents the dispute between Epstein and Halivni on the primacy of halakhah over *midrash* (Epstein's theory) or vice versa (as Halivni contends).[220] (I use here the later expressions מדרש יוצר "creative interpretation" instead of "primacy of midrash" and מדרש מקיים "integrative interpretation" instead of "primacy of halakhah," as these terms seem to me more intelligible for the presentation of the dispute.)[221] Yadin disagrees with both scholars, asserting that the two contrasting systems are represented in the rabbinic halakhic literature by two contenting Tannaim. Rabbi Akiba's halakhot and those of his school are founded on the principle of the primacy of halakhah over *midrash*—in other words, these scholars first created their halakhot on the basis of their opinions, then justified them by means of the *midrashic* system. In contrast, Rabbi Ishmael's halakhot are founded on the primacy of *midrash* over halakhot, that is, they were created on the basis of a *midrashic* method. While I agree with Yadin's assertion about Rabbi Akiba's creative system of halakhot, I maintain that Rabbi Ishmael's system was equally founded on the primacy of halakhah or integrative interpretation theory, but differed in its application in some cases in which the two are in dispute. I have already written briefly about this issue and cited scholarly views to the same effect; I will elaborate on this viewpoint in my analysis of the examples cited by Yadin in his study.

I hypothesize that at the period of the two Rabbis, old halakhic traditions were diffused in Israelite society that were perceived as the correct interpretation of scriptural texts, of ancient origin, although in fact they were decisions made by scholars whose names had fallen into oblivion, and thus gained the status of ancient traditions. We do not know, however, whether these traditions included the method of interpretation (the *midrash*), or how they were derived or presented as deriving from the scriptural text. It seems, based on the absence of sources or justifications for these traditions in the *Mishnah* and particularly in the Tannaitic disputes, that these were not transmitted. Some of these traditional

[220] J.N. Epstein, *Prologomena to Tannaitic Literature* (Hebrew; Tel Aviv: Dvir; Jerusalem: Magnes Press, 1957), 511; Weiss Halivni, *Midrash, Mishna*, 39–65.

[221] These expressions are used by Elon, *Jewish Law*. See p. 49.

halakhot were the basis of undisputed Mishnaic rules; they were not *ex nihilo*. These were already deeply ingrained in Jewish society and were no longer disputed, though one cannot exclude the possibility, which seems plausible, that they were initially disputed by other scholars whose opinions were discarded and forgotten. Other disputing traditional halakhot did not enjoy this privilege, and these were the basis of the Tannaitic disputes in the Mishnah, as were others newly created by the Tannaim; however, we have no precise criteria for discerning between them. The later Amoraim attempted to reveal the biblical sources and the interpretive methods of all these traditions (for them, the Tannaitic rules, too, were perceived as traditions), without distinguishing among the three types: the undisputed old traditions, the initially disputed old traditions, and the Mishnaic rules. There are no "extra-scriptural" halakhot in rabbinic literature, according to the rabbis' viewpoint. The old traditions, received without justification of their biblical source, were perceived as representing the correct interpretation of the relevant biblical text—definitely not against it, as they may seem to us in some instances—and so were the newly created halakhot. The divergent traditions, the plausible source of some Tannaitic disputes, did not raise doubts about their scriptural source or the correctness of the interpretation. The disputes related solely to the authenticity of transmission: since the halakhot were transmitted orally, the existence of two or more different versions, each claiming to be authentic, created a dilemma as to which was the old true halakhah. The rabbis declared that there is nothing in their halakhot "extra Sinai," as we observe even in the paradoxical dicta in *y. Pe'ah* 2, 17a, 4: "Even what a proficient disciple will teach in future before his teacher, was already transmitted to Moses at Sinai." *M. Abot* 1:1 records the system of transmission of the Torah from Moses, who received it at Sinai, to the rabbis, and *b. Erub*. 54b complements this with a vivid portrayal of the transmission of the "oral Torah."[222]

In the disputes between Rabbi Akiba and Rabbi Ishmael, we are unable to distinguish between their debates about the assumed interpretations of existing halakhot and those about new halakhot created by them. At any rate, I will quote some disputes between the two rabbis, relating to

[222] We read there, to paraphrased, that the rabbis taught, How did the Israelites learn the oral Torah? Moses learned it from God; then entered Aaron, and Moses taught him. Having finished, he sat down at Moses' left side. Then Aaron's children entered and Moses taught them; having finished, Eleazar sat at Moses' right side and Itamar at Aaron's left side. Rabbi Judah said that Aaron always sat at Moses' right side. Then entered the elders, and Moses taught them. Then they left and all the people entered, and Moses taught them.

existing undisputed old halakhot, in which the debate relates solely to the presumed justifying interpretation for the revelation of the biblical source.[223]

Since I agree with the maxim of מדרש מקיים "integrative interpretation" of the rabbinic *midrash* in many instances, I will concentrate in my analysis on Rabbi Ishmael's halakhot, which are largely ignored by Yadin, and will comment only briefly on Yadin's examples from Rabbi Akiba.[224]

Though Yadin perceives a tension between his allegation that Rabbi Ishmael marginalizes extra-scriptural tradition and the fact that these traditions, later termed "Oral Torah," are viewed as constitutive of rabbinic identity, he attempts to substantiate his theory by supporting citations.[225] He quotes some literary phrases used in the presentation of the halakhot, such as *ha-katuv* "the written verse," *lama ne'emar* "why is it said [in Scripture]," *talmud lomar* "[the oddity of the verse and similar irregularities] came to teach us," and *mikan amru* "from this [verse or *midrash* or custom] they said"; I add also the similar מכאן אתה דן "from this you deduce." These expressions do not imply an explicit deduction from the simple meaning of a biblical verse; they refer, in most cases, to a *midrashic* interpretation, similar in essence, but not in style, to Rabbi Akiba's *midrashic* system. One example of a narrative *midrash* and one of a halakhic *midrash* will suffice to corroborate this assertion. We read in *b. Ber*. 4a, "As we learned in a *baraita* [it is written in Exodus 15:16] 'until your people pass by, O Lord, until the people you bought pass by'; 'until your people pass' relates to the first coming [to the land of Israel at the time of Joshua], 'until the people you bought' relates to the second coming [at the time of Ezra]; מכאן אמרו from this [*midrash*] the sages said: the Israelites deserved a miracle at the time of Ezra, like the one they enjoyed at the time of Joshua son of Nun, but the [unspecified] sin prevented it." A similar use of the expression with respect to a halakhic topic comes in *b. Ber*. 16a: "A bridegroom is exempt from the obligation to recite the *Shema* [the declaration of faith from Deut 6:4–9], [as] the rabbis taught: [it is written there to talk about God's commands] when you sit at home, and that excludes the one who is occupied with performing a precept, [and it

[223] See the dispute on permission to desecrate the Sabbath in order to save a life on p. 22.

[224] It is obvious that both Rabbi Ishmael and Rabbi Akiba used the simple meaning of the text in their interpretation in those instances when they had no motive to change or circumvent its simple meaning.

[225] See Azzan Yadin, "4QMMT, Rabbi Ishmael, and the Origins of Legal Midrash," *DSD* 10, 1 (2003): 130–149 at 135.

is written:] when you walk along the road, and מכאן אמרו from that they said: the one marrying a virgin is exempt [from declaring the faith on that day] and the one marrying a widow is obligated [to recite the declaration of faith]." We observe that the phrase "from that they said" relates in both instances to an "extra-scriptural" *midrash*, and on that weak foundation another narrative or halakhic consequence is deduced; מכאן אמרו does not indicate a deduction from the simple meaning of the text; one may perceive it, rather, as the result of an extra-biblical consideration, according to Yadin's theory. Thus, the use of these phrases does not demonstrate Yadin's assertion that Rabbi Ishmael's *midrashim* "are based on *midrashic* interpretation of the legal sections of the relevant biblical texts, with little or no room for extra-biblical texts."[226]

I now quote a few examples from the *Mek*. of Rabbi Ishmael, which demonstrate that Rabbi Ishmael's *midrashic* interpretations of halakhot are not the result of deductions from a simple understanding of the biblical text, like Qumran's halakhot, but are essentially similar or identical to Rabbi Akiba's interpretive system with respect to their association with the biblical texts. We read in *Mek. parsha Bo, Mas. d'Piska* 5:

> It is written "and keep it [in a guarded place] (Exodus 12:6); the verse states that they were checking it [the lamb] four days before slaughtering it [they were commanded to take the lamb on the tenth day of the month and to slaughter it on the fourteenth day], and from that you deduce [to apply the same procedure for the lamb] of the *Tamid* [the perpetual daily offering], since the term 'guard,' cited at the [rule of] Passover, [intends] checking it four days before its slaughter [for possible blemishes, which would make it unfit for the offering and require its replacement by another unblemished sheep]; similarly, the term 'guard,' cited at the *Tamid* offering (Num 28:2), requires checking it four days for its slaughter. מכאן אמרו from that [deduced halakhah] they said (in *m. Arak*. 2:5) 'One does not check less than six lambs in the cell of the checked lambs, to be sufficient for Sabbath, and the two days of New Year, and one adds *ad infinitum* [as much as necessary for the forthcoming events].' [And from the phrase] 'and it should be guarded' [in Exodus 12:6, for four days] we deduce that this rule applies solely to the Passover celebrated in Egypt, which has to be taken on the tenth [of the first month], whereas the Passover of the generations [the eternal] could be taken at any time."

We observe the applied "extra-scriptural" *midrashic* system—according to Yadin's classification—for the achievement of the first halakhah, which deduces from the verse that the Israelites checked the lamb over a period

[226] Yadin, "Resistance to Midrash," 38.

of four days. Although the text, according to the simple interpretation, merely records how the Israelites proceeded, without declaring that this procedure represents an obligation (as a matter of fact, it does not constitute an obligation to perform it in the future, as we observe from the last phrase of the quoted passage), the second halakhah, the obligation to check the daily *Tamid* offering, is deduced from it by a *gzerah shavah*, one of the Thirteen *Middot* of Rabbi Ishmael's interpretive system—this interpretive method constitutes the antithesis of the text's simple meaning, as I have demonstrated above.[227] The subjects of the two (grammatically different) variations of the term שמר compared in the passage above are unrelated—the Passover lamb in Exod is not perceived as an offering but, rather, is a family affair, unconnected to Jerusalem or to the Temple, according to the scriptural text—and their contexts require different meanings.[228] The term used in Exod denotes keeping the lamb in trust for its dedicated use at the appropriate moment, whereas the term used in Num denotes ensuring that the offering will be performed at its appropriate time. On that foundation, a third halakhah is introduced with the phrase "from that they said" (the cornerstone of Yadin's substantiation of his assertion that Rabbi Ishmael's halakhot are associated with Scripture), regarding the number of lambs to be kept in the Temple's cell of lambs. From the same biblical verse another halakhah is deduced, by a similar *midrashic* method: that the term לכם "to you" excludes later generations from the obligation to keep/dedicate a lamb for the Passover meal on the tenth of the month.

It would be superfluous to continue citing similar examples, but I will quote one more citation from the *Mek.* that demonstrates the similarity of Rabbi Ishmael's and Rabbi Akiba's interpretive methods. *Mek. parsha Bo, Mas. d'Piska* 4, is concerned with a difficult dilemma: two evidently contradictory verses regarding the animals appropriate for the Passover meal. Exod 12 cites many times, at God's speech to Moses and Moses' command to the Israelites that the Passover meal celebration consists of שה "lamb" and צאן "sheep." In contrast, Deut 16:2 commands, "Sacrifice the Passover for the Lord your God sheep and cattle." Many "extra-scriptural" *midrashim* are cited to interpret the phrase "sheep and cattle"

[227] See pp. 17–18.

[228] The command to slaughter the Passover meal at the Temple in Jerusalem and to burn the fat on the altar, changing its character to an offering, is a later custom. In fact, the Samaritans, who do not bring offerings because their Temple is destroyed, perform the Passover meal, as is written in Scripture. The Passover offering in Jerusalem is an extra-scriptural edict.

as split into two distinct subjects: sheep for the Passover offering and cattle for the *Hagigah* offering.[229] Among them we encounter *a midrash* by Rabbi Akiba and another by Rabbi Ishmael, which I will quote to demonstrate their essential methodical similarity. We read there,

> Rabbi Akiba says: one verse says "Sacrifice the Passover for the Lord your God sheep and cattle, (Deut 16:2)" and another verse says "you may take from the sheep and from the goats" (Exodus 12:5); how could the two [conflicting] verses be fulfilled? You must say that this is one of the [Thirteen] *Middot* [Rabbi Ishmael's rules of interpretation] in Scripture: two conflicting and contradicting verses are valid in their context, until a third verse decides between them: and that is what the verse "Go and take for your families sheep and slaughter the Passover [celebration comes to teach us]"; [that means by exclusion], sheep for the Passover, and not cattle for the Passover.
>
> Rabbi Ishmael says: the verse [in Deut 16:2] refers to the *Hagigah* offering on the Passover feast. [You may contend] "You say so, but maybe it is not so, but it rather refers to the Passover meal celebration?" [No!] Since it is written "an unblemished male sheep" (Exod 12:5), the command to bring the Passover is already communicated, hence, what comes to teach us the command "Sacrifice the Passover for the Lord your God sheep and cattle" (in Deut 16:2), [hence, we must deduce that] this verse relates to the *Hagigah* offering to be brought on Passover [consisting of cattle and sheep alike].

I do not perceive an essential difference between the interpretive systems of these two *midrashim* with respect to their adherence to the simple meaning of the scriptural text. The obvious contradiction between two biblical verses, and their common preconceived halakhah that the Passover must be brought exclusively from sheep and goats, is the driving factor for both to find an interpretation of the verses that justifies their halakhah. Here both Rabbi Ishmael and Rabbi Akiba practice the

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[229] The obligation to bring a *Hagigah* "holiday" offering in addition to the ראיה "Seeing" offering (Exod 23:15 and Deut 16:16), that "no man should appear before the Lord empty-handed." This is an interpretation by the KJV and NIV, but the literal translation is "my face should not be seen empty," as the LXX translates using the term ὁπάω "to see." It was interpreted by the rabbis as a command for a particular offering by the pilgrims. Being a divine command, they deduced in *b. Pes*. 70b, by a circular interpretation of the same phrase in Deut 16:2, that it must be brought even on Sabbath: "[It is written:] 'Sacrifice the Passover for the Lord your God, sheep and cattle; [how is that possible,] since Passover [may solely be brought] from sheep and goats? Hence, [we must interpret it as] sheep for the Passover and cattle for the *Hagigah*." I have not found in the *Mek*. a *midrash* to this effect, but it is perceived as a definite obligation in *Mek. Bo, Mas. d'Piska, parsha 7*, at various deliberations of its application, such as whether the obligation relates solely the first day or also to the last day of the holiday and similar ramifications.

מדרש מקיים "integrative interpretation," or, in Yadin's terminology, the priority of the halakhah. Both Tannaim attempt to imply that Scripture is the source of their halakhah and interpretation, and not extra-scriptural considerations, as we have observed above and in other examples in this chapter; no rabbi would admit that even those of their halakhot most remote from or contrary to the simple meaning of the biblical text derive from another source. As I have demonstrated in this chapter, all rabbinic *midrashim*, legal and narrative alike, quote a relevant biblical verse to serve as evidence that the *midrash* relates to the interpretation of the verse.

It is no wonder that Yadin demonstrates the "extra-scriptural" source of Rabbi Akiba's halakhot but fails to cite and explain Rabbi Ishmael's halakhot that allegedly proceed differently, although he refers to them in a comparison with the *Sifra's* procedure.[230] He simply records as evidence the above-mentioned linguistic expressions, which I have refuted, and the quotation from *Sifre* in the name of Rabbi Ishmael that the (rabbinic) halakhah overrides Scripture in three places/occurrences; all other halakhot are thus excluded from this attribution. Yadin's conclusion seems to me unwarranted. Rabbi Ishmael's pronouncement in *Sifre* follows a dispute as to whether it is permitted to use an implement other than a metal borer to pierce a slave's ear, as written in Exod 21:6. Rabbi (Judah Hanasi) interprets literally and does not allow it, but Rabbi Jose, by a *midrashic* interpretation of the seemingly superfluous term "'take' an awl" in the parallel decree in Deut 15:17, permits the use of other implements that can pierce an ear. On the basis of Rabbi Jose's halakhah, it is said, "from this Rabbi Ishmael says: 'in three places the halakhah overrides [the halakhah according to] Scripture,'" and enumerates them, including the topic of the borer. The style of this lemma implies two things: first, that Rabbi Ishmael preferred the *midrashic* "extra-scriptural" interpretation of Rabbi Jose over the scriptural interpretation of Rabbi (Judah Hanasi); and, second, that he deduced his pronouncement from other sources for the other two halakhot, which seems to be based on his own decision.

Moreover, the typical number of three issues appears many times in the rabbinic literature—for example, "Hillel and Shammai disputed in only three places/occurrences" (*b. Šabb*. 14b); "In three occurrences the Sages

[230] He writes in "Resistance to Midrash," 44: "unlike the Rabbi Ishmael *midrashim*, the *Sifra*'s interpretation[from Rabbi Akiba's school] is not presented as an attempt to answer the issues raised by Scripture."

spoke in an exaggerated manner" (*b. Tam*. 29a)—and cannot serve as evidence for a real, definite number. In our case, a similar pronouncement appears in Rabbi Ishmael's name in *b. Sot*. 16a, also without any explanation or justification, but for a different three halakhot than in *Sifre*. There, it relates to the biblical prohibition on the Nazirite's shaving his head with a razor (Num 6:4), extended to include all implements suitable for such a task; the halakhah of the borer is absent. Further, it is argued there by Rabbi Johanan that Rabbi Ishmael failed to mention a similar occurrence relating to the type of hair the leper must shave on the seventh day of his purification process (Lev 14:9); the deliberation in the *Gemara* solves the dilemma by saying that Rabbi Ishmael did not enumerate all halakhot with the same character. The same pronouncement appears also in *y. Qid*. 1:59d, hal. 2, but there it is said that the specific character of the leper relates to an occurrence in which the halakhah overrides a regulation attained by the *midrashic* interpretive system of "general and particular and general," one of the *Middot* of Rabbi Ishmael. We observe the weakness and unreliability of the evidence cited by Yadin to support his thesis.

Moreover, the three halakhot in *Sifre* that allegedly override the Torah could easily be perceived not as being against the Torah but, rather, as being in the ambit of the Torah, founded on the logical basis of the rabbinic maxim "the Torah mentions what is common." This maxim is used in many instances and by the *Mek. Mishpatim, Mas. d'Kaspa* 20, in a number of halakhot, of which I will quote two: one, that the command not to cook a kid in his mother's milk includes other animals, but the Torah mentions a kid (Exod 23:19) in order to reflect what is usual; and, two, that one must not eat an animal torn by a beast in any place, but Scripture mentions "torn in the field" (Exod 22:30) because it is common. Piercing the ear of a slave seems to have been a way of marking him to prevent his escape, and the specific implement employed was not crucial. The same type of generalization applies to covering the blood of an animal, because it is the creature's lifeblood, and to the type of the material on which a divorce deed is written.

There is no comparison, with respect to adherence to the scriptural text, between the above rules and the rabbinic halakhah that saving a life overrides the Torah's command not to perform any work on the Sabbath; there is not even the slightest hint in Scripture that one may ignore or transgress a biblical command for any reason. We observe that wherever the Torah foresees an impediment against the fulfillment of a command, as for example, an impurity or an absence from the Community that prevented participation in the Passover meal, or the refusal of a *levir*

to marry his brother's widow, Scripture communicates the remedies. Similarly, Scripture considers the financial conditions of poor people and proposes substituting cheap offerings in those instances when an offering is compulsory. On the other hand, the Torah emphasizes the rule of letting the fields lie fallow in the seventh year, without consideration of a possible famine, promising that a surplus of the sixth's year crop will suffice until the ninth year.

Scripture allows some adjustments based on financial considerations with respect to full and partial fulfillment of some rules, according to certain criteria; by contrast, no facilitating considerations apply to the rigid Sabbath laws. Rabbi Ishmael endorses the existing halakhah of overriding the Sabbath in order to save life, and attempts to reveal its source in Scripture by means of the feeble קל וחומר *a fortiori* midrashic method, the fifth of the Thirteen *Middot*, to justify it.[231] Both Rabbi Akiba and Rabbi Ishmael profess the same halakhah and use the identical *midrashic* system to attain it, each comparing it to another biblical rule, an interpretation that is indeed refuted in the later deliberations of the *Gemara* as insufficient for such a decision.[232] Hence, the *midrashic* attempt to reveal its scriptural source confirms the thesis of מדרש מקיים "integrative interpretation" of an "extra-scriptural tradition," applied equally by Rabbi Akiba and Rabbi Ishmael. We encounter a similar *midrashic* interpretation by Rabbi Ishmael in *b. San*. 74a, for a rule that even allows idolatrous worship to avoid death and whose literary style implies that it relates to a prior halakhah, an "extra-scriptural tradition," justified afterwards by Rabbi Ishmael by a *midrashic* "extra-scriptural" method.[233] There are

[231] Rabbi Ishmael's interpretive method, as appears in *b. Yoma* 85 ab, conflicts, as I understand it, with Yadin's assertion in "4QMMT, Rabbi Ishmael," 139, that "Rabbi Ishmael does not value extra-scriptural traditions highly." See elements of the text and deliberations about this famous narrative in Heger, *Pluralistic*, 28 and 240, with relevant notes.

[232] We know from 1 Macc. 2:39–40 that the Maccabees established the rule that one may defend oneself on the Sabbath. The odd text of the narrative in *b. Yoma* 85a attests that at the period of Rabbi Akiba and Rabbi Ishmael, the rule that saving life overrides the Sabbath was already thoroughly ingrained in Israel, and its source forgotten. We read there, "and it happened that Rabbi Akiba and Rabbi Eleazar were going on a stroll, and Levi Hesder and Rabbi Ishmael, the son of Rabbi Eleazar ben Azariah, were following them; this question was questioned [put] before them: Wherefrom do we know that saving a life overrides the Sabbath [prohibition of work]?"

[233] We read there, "We learned in *baraita*: Said Rabbi Ishmael (paraphrased), 'how do we know that a person may worship an idol to avoid his execution, if put before the choice to worship it or to be killed?' We learn from the phrase [the man who obeys] will live by them, [deducing] that he will not die by them (Lev 18:5). Does it apply also for doing it in

indeed some types of *midrashic* methods applied by Rabbi Akiba in his interpretational system—for example some types of ריבוי "extensions" as a result of an apparent superfluous word or character—which are rejected by Rabbi Ishmael, but this diversity is not evidence of essentially different systems, as alleged by Yadin; it is a dispute about the use of some methods within the framework of the same system. I would add here that the crucial decision outlined above—that one may, by appropriate interpretation, adapt a biblical law to the prevailing circumstances, despite apparent conflict—is, in my opinion, of a significance that cannot be overstated with respect to the stunning survival of rabbinic law over millennia.

Comments on Rabbi Akiba's Halakhot

As noted above, I will comment on only a few of Yadin's examples from Rabbi Akiba's halakhot. In citing his first example, from *Sifra Tazria, parsha* 5—"Every blanched spot that is pure for a time, does not become impure ever"—Yadin wonders that "it does not make even a perfunctory gesture toward interpretation" of the biblical verse from which it is derived. This fact seems most reasonable to me, however: the Tanna who states this rule did not derive it from a biblical verse; rather, his assertion is founded on a physiological matter of fact, that a healed spot is immune from future relapse,[234] which is not a matter of law to be derived from Scripture. It is similar to a physiological statement in *b. Pes*. 39b: "The rabbis taught in a *baraita*: these are the things which will not ferment: the baked and the cooked." The rabbis assert that what is once baked or cooked cannot ferment anymore, similar to many other physiological facts associated with what does not ferment, such as dough prepared with fruit juice and foods made of rice and millet, as appears in *b. Pes*. 35a; no biblical verse is mentioned in these affirmations, because doing so would be futile.

I will cite one last quotation, because it demonstrates Rabbi Ishmael's interpretive system. Following a discussion about an assertion that crackers made of rice and millet do not fulfill the obligation to eat Matsa

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public? [No, the command:] 'Do not profane my holy name, I must be acknowledged as holy' (Lev 22:32) comes to teach us that an idolatrous worship in public, which profanes God's name, must not be done in any circumstance."

[234] It is not within the scope of this study to deliberate whether this assertion is scientifically proven (as we know, there are many diseases that do provide immunity against relapse, while others do not); it suffices to demonstrate that it is the motive of Rabbi Simeon, who asserted it.

(unleavened bread), in which it is asked, How do we know it? we read, "The school of Rabbi Ishmael and of Rabbi Eleazar son of Jacob learned: Scripture says: 'Do not eat it with leavened bread, but for seven days eat it with unleavened bread' [and from that we deduce that by eating unleavened bread] made from substances which ferment, one fulfills the obligation [to eat] Matsa, excluding those made of substances which do not ferment but decay. The Mishnah [which excludes rice as a substance appropriate for the preparation of Matsa disputes [the opinion of] Rabbi Johanan son of Nuri, who said that rice is a type of cereal and fermenting it one is liable for the punishment of *Karet* [like anyone who eats leavened bread made of wheat]." Then, consequently, it is quoted in his name that by eating unleavened bread made of rice, one fulfills the biblical obligation.

We observe that the issue of whether or not rice ferments, like Rabbi Simeon's assertion about the blanched spot, is not discussed with reference to an interpretation of a biblical command. In contrast, the rule that Matsa must be made of substances that ferment is derived from a biblical verse. The first is an assertion about a matter of fact, and thus does not require a biblical support, but the second is a matter of law, and therefore does require it. At the same time, we may observe the weak support of Rabbi Ishmael's school for the obligation to eat Matsa prepared from fermenting substances, which cannot be deduced from the simple meaning of the text. I do not perceive any essential difference, with respect to the interpretive system, between Rabbi Ishmael's *midrash* cited above and the *Sifra* that deduces from the biblical term וביום, quoted by Yadin, the obligation to perform circumcision only by day, not at night. We read there, "[It is written in Lev 12:3 to circumcise a boy on the eighth day after his birth], on the eighth, does it intend [that the circumcision] may be performed either by day or at night? [No! The term] on [the eighth] day teaches us, [only] during the day, not at night."[235] Moreover, Rabbi Ishmael's *Sifre Num*. *pisqa* 115 derives in a similar way that the obligation to wear tassels on the fringes of garments is valid only during the day, not at night. We read there, "[from an antecedent deliberation] I hear that a nightgown would also be included [in the precept to put on

[235] The biblical text does not hint at all that the term וביום השמיני "and on the eighth day" is intended to specify the time of the command's performance, except that it has to be accomplished on the eighth day. This verse is linked by the conjunction "and," as well as thematically, to the antecedent verse, which tells us that the woman is unclean for seven days; then follows what happens on the eighth day.

tassels]. [No, since it is written in Num 15:39] you should see them [the tassels], it comes to teach us that the obligation is valid only during the day and not at night, but if it is [a garment] appropriate for day and night, the obligation of tassels is valid; [Q.] If you deduce from the phrase 'to see them' the exclusion of a nightgown [from the obligation], would it result that a blind person [who is unable to see] would also be excluded? [No, because it is written] 'and they should be to you as tassels,' and that comes to teach us that one has to wear them in any case." I do not perceive any essential difference in this deliberation, as in others, between the interpretive systems of the two alleged contenders. On the contrary, the above *midrashic* interpretation, obligating the blind to wear tassels, seems to me to be against the scriptural intent. The motive of the precept of wearing tassels is explicitly justified in the concluding verses of Num 15:39–40: "You will have these tassels to look at and so you will remember all the commands of the Lord, that you may obey them and not prostitute yourselves by going after the lusts of your own hearts and eyes. Then you will remember to obey all my commands and will be consecrated to your God." They are ineffective for a blind person, and he should therefore be exempted from the obligation, whereas tassels on a nightgown can be seen at night if one has a light. The opposing decision, arrived at by means of Rabbi Ishmael's interpretation, seems illogical and unfounded: it must be based on his "extra-biblical" preconceptions, justified by an appropriate *midrash*.

Conclusion

I believe that I have substantiated my thesis that there is no fundamental difference between the *midrashic* methods used by Rabbi Akiba and those used by Rabbi Ishmael (and their respective schools). Both have preconceived opinions of how a biblical rule should be applied, or refer to traditional halakhot from older times, diffused in Israelite society, and use the *midrashic* system to demonstrate their adherence to the relevant biblical text, though one cannot derive them from its simple meaning, according to the practice of Qumran scholars. Rabbi Akiba and Rabbi Ishmael may diverge occasionally with respect to using one or another method of interpretation, often to arrive at the identical halakhah, but neither deviates from the general rabbinic method of מדרש מקיים "integrative *midrash*," justifying the asserted halakhah whenever they deem it appropriate to do so. The remarkable effort in the rabbinic literature, and by the above rabbis, to demonstrate the biblical source of their halakhah,

however remote from its simple meaning, confutes Yadin's allegation that they formally used extra-scriptural motives for their halakhic decisions or attempted to justify acknowledged extra-biblical traditions by demonstrating their biblical sources. It is not within our competence to judge the rabbis with respect to whether they believed their interpretations to derive from the scriptural text or whether the latter served them as an excuse for using extra-biblical considerations in their halakhic decisions, and similar devices to conceal the realities of ancient traditions.[236] I allege, as I have said, that they believed themselves to be acting, in their halakhic decisions, according to the divine intentions in the given circumstances. If, nonetheless, Yadin suggests that the *midrashic* justification of Rabbi Akiba and his followers, like the bulk of rabbinic halakhot, uses extra-scriptural considerations in defense of preconceived ideas, then Rabbi Ishmael cannot be excluded from this category; we have seen this from the examples cited above, and particularly from his *midrashic* justification of the existing rule that one may override the Sabbath laws in order to save a life. Qumran, as we would expect from scholars adhering literally to the scriptural text, opposed it.

[236] Schiffman, "Dead Sea Scrolls and Rabbinic," 11, alleges that rabbinic Judaism was concerned with the issue of "how to incorporate extrabiblical traditions and teachings into the legal system and how to justify them theologically." I believe that Schiffman would hesitate to affirm that the rabbis, who, as we have seen (p. 22), attempted to reveal a biblical justification for the permission to override the Sabbath in order to save a life, were consciously justifying an extra-biblical tradition.

CHAPTER THREE

THE ATTRIBUTION OF MODERN CONCEPTS TO AUTHORS AND READERS OF ANCIENT TEXTS

3.1. The Watchers' Narrative as an Explanation of the Source of Evil

3.1.1. *Introduction*

According to Paulo Sacchi, the apocalyptic Book of the Watchers (BW) is aimed at addressing the question of the origin of evil.[1] In his opinion, the BW alleges that evil is not the result of human actions but an objective reality resulting from a prehistoric contamination of the cosmos and of mankind.[2] Gabriele Boccaccini agrees with Sacchi's understanding of the BW vis-à-vis the origins of evil, and suggests that there was "an ancient schism within the Jewish priesthood, between Enochians and Zadokites," regarding the possibility of restoring the cosmic order that had been disturbed by the Watchers.[3] Other scholars, too, believe that the book's central motif is the question of the origin of evil, and thus regard the BW as a treatise addressing issues of theodicy and human responsibility for sin. Boccaccini and others believe that the BW was written by a priestly group who revered Enoch and its myths and who saw these texts as representing a covert polemic against the dominant Zadokite priestly clan.[4]

Archie T. Wright, on the other hand, addresses a separate matter in his attempts to prove that the Book of the Watchers was the harbinger of demonology during the Second Temple period.[5] Although Wright tries

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[1] Paolo Sacchi, "Riflessioni sull'Essenza dell'Apocalittica; Peccato d'Origine e Libertà dell'Uomo," *Henoch* 5 (1983): 31–61 at 59–60.

[2] Ibid., 57.

[3] Gabriele Boccaccini, *Beyond the Essene Hypothesis: The Parting of the Ways between Qumran and Enochic Judaism* (Grand Rapids, MI: Eeerdmans, 1998), 78.

[4] *Ibid*., 77.

[5] Archie T. Wright, *The Origins of Evil Spirits: The Reception of Genesis 6.1–4 in Early Jewish Literature* (Tübingen: Mohr Siebeck, 2005), 2–3.

to define the character and function of the demons and the development of demon mythology according to the BW texts, his principal concern is distinct from that of most scholars.[6]

In this chapter I dispute these readings of the BW, demonstrating that this text was not composed for the purpose of communicating subtle theological/philosophical doctrines; nor, in my opinion, does the BW represent the battle cry of a dissenting priestly group. Rather, the BW is a *midrashic*-type expansion on the cryptic biblical lemma Gen 6:1–4, whose incorporation into the greater BW and *1 Enoch* serve as evidence that this work is, fundamentally, a hortatory opus.[7]

3.1.2. *Methodological Problems*

3.1.2.1. *Definition of Source/Origin of Evil*

Let us first clarify the issue of the origin of evil. The primary question, of course, is why evil exists at all. This raises the issue of theodicy: since God is perceived as the embodiment of absolute goodness and omnipotence, He could have created a world devoid of all evil—a world without wickedness, the evil inclination of human beings, suffering, or illness and similar afflictions. (Indeed, various Scriptural texts assert God's promises to remove evil from the world at the End of Days.) I believe that this is what scholars are referring to in their deliberations on the Watchers' role (in the BW narrative) in introducing evil into the world, and in their interpretation of the BW as a text that implicates the Watchers and their misdeeds in the creation of evil.

3.1.2.2. *Imposing Modern Thought on Ancient Authors*

I believe that the Jewish community during the 3rd century BCE (when the narrative of the Watchers was presumably composed) was not con-

[6] Wright seems to be trying to combine two unrelated concepts. While he writes that his study attempts to reveal how the reception of Gen 6:1–4, with the help of the BW, "encouraged the development of the demonology and anthropology in the 2TP," he then affirms that the study of the various sources "may offer a better view of the developing Jewish understanding of the origin of evil." The source of evil is an important theological/philosophical issue, whereas demonology is nothing more than a blatant superstition. Wright's assertion that "the stages of growth" resulting from the analysis of the various sources "may have merged to make possible the diversity of tradition of demonic affliction encountered in the New Testament" (as in Mark 5:1–20) may indicate that his motive is to reveal a connection between the two writings and their ideology.

[7] Throughout this study I use the titles BW and *1 Enoch* interchangeably in referring to the work in question.

cerned with theodicy and the source of evil.[8] Such dilemmas would have penetrated the community only at a much later period. Indeed, much of the scholarly conjecture regarding the BW amounts to a projection of contemporary modes of thought on ancient authors and readers, a method of interpretation that I believe is extremely misguided. J. Campbell warns against this practice, asserting that "a holistic reading must guard against imposing literary expectations from a later period onto the products of an earlier one."[9]

It is always problematic to approach ancient texts with a modern mindset, because one risks drawing erroneous conclusions about the original meaning of and intent behind a given text. Contemporary philosophical doubts and concerns, founded on current modes of thought and derived from a variety of cultural experiences and historical events, are often utterly distinct from the ideas that intrigued people who lived centuries ago. The assumption that the author of the BW sought to defend divine theodicy by suggesting that the Watchers were the source of evil in the world seems unfounded.[10] Fundamental believers do not question divine actions, as they believe that whatever God does is essentially good.[11] It is extremely unlikely that the author of such fantastic and chimerical writing as *1 Enoch* would reflect on subtle philosophical issues such as the source of evil. Indeed, such ruminations reflect a kind of skepticism that borders on heresy, implying that one entertains doubts as to the absolute goodness of the divine. Just as an atheist would never claim that he or she had had a vision of Holy Mary, or

[8] Collins, "Interpretation," 30, writes, "Apparently, the question of the origin of sin, and of what we know as the fallen human condition, was not felt to be as pressing by the biblical writers as by later theologians." He does not specify to what period of theologians he refers, but from the content of his other writings, I would assume that he considers the authors of Enoch to belong in the category of "later theologians." In my opinion, the writers of Enoch, and particularly the author of the primary story of the Watchers, do not belong to this category; like the redactors of Scripture, they were equally unconcerned with the issue of the origin of sin.

[9] Campbell, *The Use of Scripture*, 44–45.

[10] Loren T. Stuckenbruck, "Genesis 6:1–4 as the Basis for Divergent Readings during the Second Temple Period," *Henoch* 24 (2002): 99–106 at 99–100, takes for granted that the BW was interpreted in apocalyptic circles "as an account of the origins of evil." He cites no hard evidence that this was indeed the case, however, and his statement is likely a result of the fact that "the focus of most research during the last several decades has been on the reading of Genesis 6 in relation to the problem of evil," especially considering his assertion that "Genesis 6: 1–4 would have been difficult for early Jewish writers to interpret."

[11] We read in *b. Ber.* 60b, "A person should accustom himself to declare: everything that God has done, it was done for his benefit."

spoken to God, as St. Teresa of Avila did, St. Teresa, conversely, would never have doubted God's absolute goodness. The ideological purview of the author/s of *1 Enoch*, as well as of its readers, suggests that the work is highly unlikely to contain any hint of skepticism regarding the divine.

As I will argue in chapter 7, "Against a Theory of Dual Determinism in 1QS and 1QHh[a]," it is highly improbable that people of deep faith would have attempted to contradict the explicit assertion in Isaiah 45:6–7: "I form the light and create darkness, I bring prosperity and create evil [KJV: 'calamity'; NIV: 'disaster']. I, the Lord, do all these things." Furthermore, a fundamental cornerstone of monotheism is that God is the Creator of all things, both good and bad. The attribution of evil to another entity, therefore, patently conflicts with the basic premise of monotheism.[12] Additionally, the Qumran community believed that humans are inherently incapable of comprehending divine actions and should therefore refrain from pondering the divine will, as we read in Isa 55:8: "For My thoughts are not your thoughts, neither are your ways My ways, says the Lord."[13] This maxim is supported by *1 En*. 8:3 and 9:6, in which the Watchers are accused of revealing heavenly mysteries to humans. Although the precise nature of these mysteries is not specified, there is reason to assume that they constitute ruminations about the mysteries of heaven—that is, forbidden thoughts—rather than explicit actions (such as revealing secrets of weapon production or the use of magic).

Annette Yoshiko Reed points out that while many studies do explore the influence of Enochic texts and traditions on Christianity, the *Nachleben* of Enoch (a term used by Reed) have not sufficiently explored the book's influence on Judaism.[14] Given that the text was traditionally perceived as a *midrash* rather than as a theological/philosophical treatise, however, this should not come as a surprise. Indeed, it would have been abundantly clear to scholars cognizant of basic Jewish theology that the Book of Watchers is not fundamentally concerned with the question of

[12] See p. 122, n. 71, on Maimonides' philosophical assertion that evil is not an independent creation but merely the absence of goodness.

[13] See also Job, chapters 38 and 39, on man's inability to understand the world created by God, and 42:7, in which God censures Eliphaz the Temanite because, in his attempt to explain the divine acts, "you have not spoken of Me what is right."

[14] Annette Yoshiko Reed, *Fallen Angels and the History of Judaism and Christianity: The Reception of Enochic Literature* (New York: Cambridge University Press, 2005), 4.

the origin of evil.[15] Moreover, scholars would also have been aware of the importance accorded to Isaiah's pronouncement in 45:6–7, quoted above, which explicitly states that God created evil.

Christian scholars have only relatively recently begun to display an interest in the history of Jewish theology dating back to the pre-Christian era. This interest is largely motivated by a desire to reveal schisms in Jewish thought that might help to establish a connection between schismatic movements within Judaism and early Christianity. Indeed, Reed criticizes studies that point to Enoch as the "Jewish background" of Christian traditions, and thus perceive "Jewish traditions as relevant primarily for illuminating Christian Origins."[16]

The rabbis were heavily influenced by Greek philosophy and were well aware of various factual and theological inconsistencies in Scripture.[17] Nevertheless, they did not question the issue of the source of evil.[18] To them, challenging God's decisions and actions was illicit.[19] Although the rabbis did reconcile other inconsistencies in Jewish texts, we encounter no such theological inquiries in Qumran literature.

In conclusion, if indeed the attribution of evil to the Watchers is what motivated the author of the BW to compose this work, it is surprising that he failed to make any statements to this effect, either explicit or implicit. It is difficult to perceive any compelling reason for an author/redactor to conceal the overarching purpose of his work. In my opinion, the Watchers story was intended to serve a twofold purpose: first, to provide an interpretation that would elucidate the enigmatic verses Gen 6:1–4; and, second, to explain the cause of the Flood.

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[15] J.J. Collins, *Apocalypticism in the Dead Sea Scrolls* (London: Routledge, 1997), 35–36, writes that at Qumran, the fall of the Watchers "is not understood as the origin or source of human sinfulness," which "lies rather in the inclination (*yeṭer*) of the human heart."

[16] *Ibid*., 13.

[17] An example is God's disillusionment with man's behavior and His regret for having created him (Gen 6:11–13), which conflicts with the notion of divine omniscience. See David Daube, "Rabbinic Methods of Interpretation and Hellenistic Rhetoric," *HUCA* 22 (1949): 239–264 at 261, and his statement that "the Influence of Hellenistic Philosophy was not confined to the period of Hillel. It had started before; and it went on afterwards, in increasing degrees, for a long time."

[18] As I will demonstrate later in this chapter, this question arose in Jewish circles only in the Middle Ages.

[19] We read in Job 42:3b, "Surely I spoke of things I did not understand, things too wonderful for me to know," and in 42:6, "Therefore I despise myself and repent in dust and ashes."

3.1.2.3. *The Focal Point of* 1 Enoch

There are many other scholarly theories about the possible purpose of *1 Enoch*. George W.E. Nickelsburg, for example, suggests that "the Coming Judgment" was the focal point of Enoch's author.[20] J.J. Collins does not accept the premise that uncovering the source of evil is the book's main objective; in his opinion, the origin of evil "is only one motif among many in the Enoch literature."[21] Yet another scholar, Pierluigi Piovanelli, points out that although the BW provides a mythic explanation for the presence of evil on earth, the author actually seems to be trying to establish a system of references for what we might call the magical dimension of the universe.[22] Thus, the book offers theological proof for the existence of evil spirits whose negative influence cannot be averted through personal devotion or good deeds, but only through the intervention of angels or of human visionaries who acquire the faculty of a "semi tolerated white form of magic" (of the sort adopted by Ethiopic Christian professionals), as Enoch had presumably done.[23] To support his thesis, Piovanelli cites texts from ancient Jewish literature that refer to demons and the various methods of warding them off. Piovanelli's theory is pertinent to my argument insofar as it offers yet another possible interpretation of *1 Enoch*. Indeed, to associate *1 Enoch* with magic seems more plausible than to contend that the BW was written as a philosophical treatise on theodicy. The notion that magic was the core of *1 Enoch* would help to explain why both Jewish and Christian authorities rejected this text (since both groups disdained the use of magic) while the Ethiopians (who practiced magic) translated and cherished it.

J.J. Collins, who tends to agree with the scholars who believe that "the people who produced the Enoch literature did represent a distinctive form of Judaism," recognizes that the myth of the Watchers, cited in CD 2:18, "does not serve as the paradigmatic story of the origin of evil for the sect."[24] If neither the Qumran community nor its scholars deduced this axiom from the text of Enoch, we should assume that the same would be true for other readers of this text. Those who followed the Enochic traditions (such as *Jub*., Sir, and Qumran) do not, in

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[20] George W.E. Nickelsburg, *1 Enoch 1: A Commentary on the Book of 1 Enoch Chapters 1–36; 81–108* (Hermeneia; Minneapolis, MN: Fortress, 2001), 73.

[21] Collins, "How Distinctive," 19.

[22] Pierluigi Piovanelli, "A Theology of the Supernatural in the Book of the Watchers? An African Perspective," *Henoch* 24 (2002): 87–98 at 90.

[23] Ibid., 91.

[24] Collins, "How Distinctive," 34.

recording the Watchers' narrative, refer to the the Watchers' prohibited instructions to humans, the foundation of the scholarly theory that these instructions represent the source of evil in the world.[25] Moreover, it is possible that these followers did not perceive the Watchers' instructions so harshly as they are now generally perceived, which certainly undermines the notion that evil was introduced into this world by way of these instructions.[26]

Furthermore, I believe it is unlikely that readers of the BW living during the second century BCE would have perceived the work differently than those (*Jub*., Sir, Qumran) who read the same work just a century later, as some scholars suggest as a means of justifying their theories against the adverse facts articulated above. This is especially unlikely with respect to the author of the later *1 En*. 98:4, who clearly attributes responsibility for evil to human misdeeds. Since he wrote in the guise of Enoch, this author must have known and revered the author of the Book of Watchers. Thus, it is counterintuitive to suggest that the author of 98:4 would have opposed the core message being relayed by the author of BW. We must therefore conclude that the author of the Epistle of Enoch (chapters 92–105) did not perceive the Watchers' narrative as a treatise on the origins of evil.

The presumption of modern scholars that they have, some two thousand years later, a better understanding of the BW author's intentions than the ancient author of the Epistle and the compiler/redactor of *1 Enoch* did seems to me unwarranted.[27] Instead of real evidence,

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[25] Reed, *Fallen Angels*, 6, states that "the tradition that their [the Watchers'] teachings corrupted mankind is relatively rare" in the Jewish and Christian reception history of the BW, and, further, that "the instruction motif is absent or suppressed in almost all Second Temple Jewish sources and in the NT."

[26] In fact, explicit accusations against the Watchers (for their wicked instructions to humans) are directed only at two angels: Asael and Semihazah (9:6–7). One might also include Hermani, since his instructions regarding sorcery and magic seem vicious (8:3) and are perhaps attributed to him (in 9:8b) as "hate-inducing charms." Thus, the instructions of the above three angels had a detrimental affect on humans, causing them to commit acts of fornication, violence and hate, which, in turn, brought about their punishment (9:6–8). The other instructions of the Watchers, enumerated in 8:3, were not necessarily seen as destructive and are neither specified among the accusations against the Watchers nor included in the list of instructions cited as having provoked humans to sin. While I am not arguing that the author and original readers of the BW assumed that the instructions of these three angels were the source of evil, it is a theory worth taking into account.

[27] Paul Hanson, "Rebellion in Heaven: Azazel and Euhemeristic Heroes in *1 Enoch* 6–11," *JBL* 96 (1977): 195–233 at 232, writes that *1 En*. 6–11 "goes far beyond the biblical text in developing a sectarian explanation of the origin of evil in the world." Hanson does not

contemporary scholars seem to be relying on mere speculation. It is clear, however, that delineating the source of evil was not the intent of the author and that the work's original readers did not perceive it as such.[28]

3.1.3. *The Problematic Influence of Contemporary Thought on Our Understanding of Ancient Texts*

To illustrate the complications that arise from interpretive methods that project modern modes of thought onto ancient people, I will cite several biblical texts that have been modified by later editors who perceived the texts as incompatible with their theological and ethical convictions. In 2 Sam 24:1, God incites David to take a census of the people, despite the fact that Judaism prohibits the counting of people.[29] The consequences are disastrous. Clearly, the original writer/editor of this narrative did not see his record as implicating God in the rather dubious project of inducing David to sin in order to punish him. A later redactor of 1 Chr 22:1, however, seems to have been better attuned to the possibility of such a reading, and therefore modified the text accordingly; for this reason, the later version suggests that it is Satan, not God, who incites David.[30] Another noteworthy example is the record of David's engagement in numerous and often cruel wars, which in no way undermines the glorification of him as a heroic figure in the books of Samuel and Kings. Later on, however, the author/redactor of 1 Chr presumably perceived David's involvement in warfare as somewhat problematic and thus suggests that this rendered him unfit to build the Temple (as per the biblical prohibition against building an altar of hewn stones defiled through the use of a killing instrument in their production, Exod 20:22). Thus, instead of the various pretexts cited in 2 Sam and Kgs to justify David's failure

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explore, however, the question of how the bulk of Israelite society at that time grappled with the issue of the origins of evil (if, indeed, this was something they would pondered at all, which I strongly doubt).

[28] A hypothesis about the development of the Enoch literature and its intent will be advanced later in this study.

[29] We read in 2 Sam 24:1, "Again the anger of the Lord burned against Israel, and he incited David against them, saying, 'Go and take a census of Israel and Judah.'" There is no explicit prohibition in Scripture on taking a census, but we read in Exod 30:12, "When you take a census of the Israelites to count them, each one must pay the Lord a ransom for his life at the time he is counted. Then no plague will come on them when you number them."

[30] We read in 1 Chr 22:1, "Satan rose up against Israel and incited David to take a census of Israel."

to build the Temple, the compiler/redactorr of 1 Chr 22:8 and 28:3 cites God's injunction to David to desist from building the Temple because he has shed much blood as a warrior.[31] (The later compiler/redactor perceived the divine aversion to David's building the Temple as stemming from the fact that the altar is a symbol of refuge.) Other sins committed by David, such as his adultery with Bathsheba, the killing of Bathsheba's husband Uriah, and the brutal murders of Saul's descendants, apparently did not bother the compiler/redactor of Kings, although the author of Chr omitted any mention of these sins.

In a similar fashion, a shifting standard of ethics induced later translators/interpreters to offer new interpretations of biblical records. For example, we read in 2 Sam 12:31, "And he brought forth the people that were therein, and put them under saws, and under harrows of iron, and under axes of iron, and made them pass through the brickkiln: and thus did he unto all the cities of the children of Ammon. So David and all the people returned unto Jerusalem" (KJV). The traditional commentators and the KJV also translated this verse quite literally, but the NIV—composed centuries later, in an atmosphere more sensitive to human rights—altered the translation to read: "and brought out the people who were there, consigning them to labor with saws and with iron picks and axes, and he made them work at brickmaking." It is evident that the NIV translator/interpreter imposed on the author of 2 Sam the ethical standards of his own period, utterly disregarding the *intentio actoris* of the original author and the ethical climate of his period.

Another recent example is Yonina Dor's assertion that the Jews who lived during the time of Ezra did not cast out their Gentile women and their children.[32] To support her assertion, Dor refers to an anthropological study of an African ceremony, from which she deduces that a "Separation Ceremony" was performed during the time of Ezra that entailed a declaration of separation after which the women returned home with their husbands. This suggestion seems to be motivated by a desire not to acknowledge that Jews had acted with brutality in chasing away their own wives and children[33]—yet another example of how

[31] We read in 1 Chr 22:8, "But this word of the Lord came to me: 'You have shed much blood and have fought many wars. You are not to build a house for my Name, because you have shed much blood on the earth in my sight.'" 1 Chr 28:3 records a similar text.

[32] Yonina Dor, *Have the "Foreign Women" Really Been Expelled?* (Hebrew; Jerusalem: Magness Press, 2006).

[33] *Ibid*., 246.

modern historians impose contemporary ethical standards on an ancient Jewish community, thus distorting history. Scholarly attempts to reconcile Scriptural commands that seem unnecessarily cruel (such as the instruction in Deut 20:16 "not to leave alive anything that breathes [in Canaan]") with contemporary ethical standards similarly project modern perspectives onto ancient people.

Ethical standards are dynamic and are constantly changing to adapt to particular eras' socially sanctioned principles. Not very long ago, abortion of any kind was considered criminal and could result in a long prison sentence; today, however, most Western countries subsidize the cost of such procedures. Likewise, racial discrimination has changed dramatically over the course of just a few decades. Such changes were not imposed on the public; rather, people voiced a desire for change, and governments were compelled to adapt their laws accordingly. The application of modern methods of interpretation to ancient literatures is based on the theory of multi-vocality in classical writings, which allows for disparate interpretations often influenced by the personal circumstances and cultural backgrounds of the individual exegete. However, even the maximalist deconstructionist school of thought, according to which texts may be interpreted in a manner that patently conflicts with the author's intention (thus creating a dichotomy between the text and its author), does not claim that such exegeses are in line with the author's original intent.[34] Yet the notion that the author of *1 Enoch* was concerned with the philosophical issues of theodicy, God's absolute goodness and the source of evil, is founded on just such an approach.

3.1.4. *Textual and Factual Problems Associated with Prevailing Theories about the Purpose of* 1 Enoch

3.1.4.1. *Internal Contradictions*

We encounter a contradiction between *1 En.* 10:7, which scholars suggest points to the Watchers' actions as the source of evil, and the explicit maxim in 98:4, which states that lawlessness was not sent from heaven but created by humanity. Some scholars hypothesize that the text of 98:4 was composed by a later author and was intended to refute 10:7. I find this theory unconvincing, and believe instead that the redactor who compiled

[34] Snodgrass, "Use of the Old Testament," 40, writes: "Too often people look only at Old Testament texts and New Testament quotations without asking what these Old Testament texts had become in the history of Judaism."

the various books together was not aware of a contradiction between the Epistle of Enoch and the BW. Indeed, he combined these different writings in a single book in order to attribute their authorship to a single source—the mythical Enoch.[35] A contradiction between two elements of this work would, so to speak, pull the rug out from under his feet.[36] The discrepancy between verses 98:4 and 10:7 with respect to the source of evil is far more blatant than any of the inconsistencies in the Pentateuch, a work that was similarly believed to have been composed by a single ultimate author, in this case God.[37] Moreover, while contradictions in the Bible generally relate to relatively unimportant issues such as chronology, the discrepancy between *1 En*. 98:4 and 10:7 relates to the supposed central theme of the text, and hence cannot be reconciled. Furthermore, the notion of a multiplicity of authors as an explanation for various textual inconsistencies in Scripture is a relatively recent phenomenon, and the different dicta point to internal contradictions that remain irreconcilable as long as the text is attributed to a single author, as is the case with *1 Enoch*.

3.1.4.2. *Vague and Incoherent Text*

1 Enoch is filled with inconsistencies and equivocal language. As VanderKam and Flint write, it is "often difficult to understand for those who are familiar with it."[38] On the mythical nature of the Watchers, D. Suter writes, "Because myths function as symbol or metaphor, they are frequently opaque in varying degrees to the external interpreter."[39] Similarly, Kelley C. Bautch, in her extensive study of v. 17:3, points to differences between the Ethiopic and Greek texts and remarks that there are "textual

[35] Collins, "How Distinctive," 18, writes, "The books that make up 1 Enoch are indeed closely bound together by recurring motifs and allusions. It demonstrates the editor's intent to indicate its unitary organic style. Moreover, the name of Enoch appears in all elements of the compiled book, except in the Dream Visions, in which he is the only speaker and is not addressed with his name by anyone. Hence, it is evident that the editor attempted to indicate that the entire book is his message."

[36] John J. Collins, "The Apocalyptic Technique: Setting and Function in the Book of the Watchers," *CBQ* 44 (1982): 91–111 at 101, writes, "We should not too easily assume editorial carelessness."

[37] On this point see p. 147, n. 148.

[38] James C. VanderKam and Peter W. Flint, *The Meaning of the Dead Sea Scrolls: Their Significance for Understanding the Bible, Judaism, Jesus, and Christianity* (San Francisco: HarperCollins, 2002), 194.

[39] David Suter, "Revisiting 'Fallen Angel, Fallen Priest,'" *Henoch* 24 (2002): 137–142 at 138.

uncertainties in *1 Enoch* 17:3 and some enigmatic imagery."[40] The many disparate scholarly interpretations offered further underscore the work's inherent ambiguity.

I will next point out some examples of inconsistencies in the text of *1 Enoch*. First, if all the sins were attributed to Asael (10:8), there would be no justification for the destruction of all living entities in the world (with the exception of Noah, his family, and the restricted number of animals aboard the ark), especially since verse 10:7 gives a reason for this attribution: so that "all the sons of man may not perish." The wicked deeds of humans (which caused the Flood) are not clearly indicated in the core of the BW (ch. 6–11).[41] Vague terms such as *violence*, *desolation*, and *illness* are used in 15:11–12; even these, however, relate not to the sins of humans but to their suffering.

In 10:15 the archangel Michael is instructed to "[d]estroy all the spirits of the half-breeds and the sons of the Watchers, because they have wronged men."[42] This command was presumably intended to be fulfilled in the period prior to the Flood, as were all the commands to the archangels in 10:1–22 (since Sariel is commanded to inform Noah about the forthcoming deluge and instruct him on how to escape the Flood, 10:1–3). In 16:1, however, these spirits "will make desolate until the day of consummation," the period of the eschaton. Hence these spirits, who should have been destroyed before the Flood, continue to bring desolation upon the earth.

Yet another conspicuous inconsistency seems to have slipped the attention of the author/editor. In 6:1 we read that the Watchers saw the beautiful human women, desired them, and conspired against the divine will to accomplish their aspiration. It is evident that this event occurred before their descent. In 8:1, however, human beings are accused of making ornaments for their daughters, having received instructions from Asael on how to produce these ornaments and how to adorn their eyes;

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[40] See, for example, Kelley Coblentz Bautch, *A Study of the Geography of 1 Enoch 17–19* (Leiden: Brill, 2003), 67, recording the many divergent scholarly theories regarding the intended location of the mountain in *1 Enoch* 17:3, and her admonition at 286 against scholars who are "sketching a precise historical scenario" from the relevant text.

[41] See discussion of this issue on p. 139.

[42] Moreover, the command to destroy the half-breed spirits is conveyed in the present tense, with no hint that it relates to End of Days. The commands that precede this one, however, are expressed in the future tense and are to be applied at "the time of the judgment," a reference, presumably, to the eschaton.

thus, mankind is seen as guilty of leading the Watchers astray.[43] On the basis of these verses, it seems evident that the Watchers were lured into intercourse with mortal women only after Asael's instructions and their own descent to the earth. Further, Asael was only one of the Watchers' chieftains (and not the most important among them—he is enumerated as the tenth) who organized the conspiracy, as noted in 6:7; thus his instructions were not the determining factor in the Watchers' fall, which was caused by their rebellion and conspiracy against God.[44] One scholarly explanation for this inconsistency is that 6:11 is essentially an amalgamation of two traditions (of both Semihazah and Asael). However, this is not a satisfactory explanation, since the editor attempted to merge these two traditions and enumerated Asael among the chiefs under the leadership of Semihazah (6:7). This inconsistency further demonstrates the lack of coherence in this narrative. Given the general lack of precision in the BW text, drawing subtle philosophical/theological conclusions from it is all the more problematic. In addition, it is important to take into account the myriad translations and copies that reveal various discrepancies.[45]

3.1.4.3. *Logical Contradictions*

Sacchi traces the origin of evil, which condemns man to a state of impurity, to a primeval contamination of the cosmos (through Adam).[46] According to Sacchi, humanity is capable of liberating itself from this state, which implies that humans are endowed with free will and are thus responsible for their deeds.[47] Yet this notion conflicts with Sacchi's assertion that the BW excludes human responsibility and that Asael is guilty

[43] George W.E. Nickelsburg, "Apocalyptic and Myth in *1 Enoch* 6–11," *JBL* 96 (1977): 383–406 at 398, states that 8:1 affirms that "the instruction of Asael" brought about "the fall of Semihazah and his hosts."

[44] Helge S. Kvanvig, "Enochic Judaism—a Judaism without the Torah and the Temple?" in *Enoch and the Mosaic Torah: The Evidence of Jubilees* (ed. Gabriele Boccaccini and Giovanni Ibba; Grand Rapids, MI: Eerdmans, 2009), 163–177 at 167–168, writes, "The core of the book [the Watchers] is accordingly the Rebellion Story," and the Rebellion story is the master narrative.

[45] See http://orion.huji.ac.il/orion/archives/1999a/msg00174.html, where Donald Goodell writes that "the Ethiopic I Henoch looks more and more (as a whole) to be a hotchpotch of different books and fragments from different eras, all copied (from originally another language, and from another medium) into a single—artificially connected and continuous—text."

[46] Sacchi, "Riflessioni," 56–61.

[47] Ibid., 59–61.

of all the sins of the sons of man (as per *1 En.* 10:8).[48] Further, Sacchi does not explain what he means by "prehistoric contamination"; that is, he does not identify a creator of evil. Is he suggesting that this primeval contamination occurred before the divine creation of the world, and that God is helpless to undo its effects? No such conjectures would have been entertained in Jewish circles during the relevant period, as they necessarily undermine God's omnipotence and thus contradict the core theological purview of the BW narrative, that acknowledges that omnipotence. We read in 10:4–15 that God commanded the Archangels to bind the sinning Watchers, the perpetrators of this "prehistoric" contamination, and to keep them imprisoned and incapacitated until their final destruction at the End of Days. Thus, if humanity is, in fact, capable of liberating itself from this prehistoric evil, as Sacchi suggests, then the Watchers' narrative has no theological message to offer; it does not relieve God of his responsibility for evil, since he had the power to avoid it, nor does it absolve humanity. Indeed, the lack of a theological message calls into question the very purpose of this work.

Boccaccini advances a theory that the BW narrative relates to "an ancient schism within the Jewish priesthood, between Enochians and Zadokites."[49] The Zadokites believed that through proper behavior and commitment to the Temple cult, one could restore the cosmic order. In contrast, the Enochians contended that the "world had been corrupted by an original sin of angels, who had contaminated God's creation," and that "the original order was not, and could not be, restored," not even by God. Boccaccini further asserts that as "a result of angelic sin, human beings cannot control the spread of evil and impurity. Human beings are still accountable for their actions, but they are victims of an evil that they have not caused and cannot resist."[50] These statements lack textual support and are, moreover, inconsistent and self-contradictory. Indeed, the notion that the Enochians considered God unable to restore order amounts to a denial of God's omnipotence. Such an assertion also contradicts Boccaccini's own statements about the Enochians' belief that "evil and impurity are incontrollable, and human beings, including the proud priests of Jerusalem, are powerless. The only hope is God's intervention."[51] If the Enochians believed God to be unable to restore the

[48] Ibid., 60.
[49] Boccaccini, *Beyond*, 73–78.
[50] *Ibid*., 73.
[51] *Ibid*., 74.

past order, their hope in His intervention would be futile. Moreover, it is highly unlikely that priests, of whatever clan and ideology, would have denied divine omnipotence.

I will quote here Boccaccini's descriptions of the Enochian priests and their doctrines, to further illustrate the contradictions inherent in his argument. He writes, "Enochic Judaism directly challenged the legitimacy of the second temple and its priesthood."[52] He then quotes Hanson's statement: "We are witnessing a harsh indictment against the temple cult."[53] Boccaccini also asserts that the Enochians accused the Zadokites of the "guilty pretentiousness of evil usurpers."[54]At the same time, Boccaccini describes the conflict in question as relating to "ancient schisms between Enochians and Zadokites" although he is unsure about whether both groups "were genealogically related to the Zadokites" or whether they were members "of rival priestly families."[55] This indicates an internal dispute among the priests, which is supported by Boccaccini's statement that "the Enochians were an opposition party within the temple elite."[56]

This argument raises a number of questions. First, the identity of the Enochians remains unclear—were they a group of priests, as Boccaccini seems to assert, or did they represent a popular Jewish movement? And if the Enochians were merely "an opposition party within the temple elite," and not a "group of separatists," on what basis does Boccaccini assume the existence of an Enochic Judaism? Moreover, if the Enochian priests "challenged the legitimacy of the second temple" by ignoring the Mosaic Torah and the Jerusalem Temple, what was their function in the service of the Temple, and how was their position justified? Indeed, significant differences between Qumran and the mainstream Jewish community regarding interpretation of Torah precepts led the former to separate unequivocally from the latter; thus, it seems implausible that a group of priests would remain in service in the Temple while challenging that institution's legitimacy and the validity of the Mosaic Torah as a whole. Boccaccini's assertion that humanity is unable to control the spread of evil and impurity, yet is held accountable for its actions, challenges the notion of theodicy. Moreover, his claim that God could not redress the

[52] *Ibid*.
[53] Hanson, "Rebellion," 226.
[54] Boccaccini, *Beyond*, 74.
[55] *Ibid*., 78.
[56] *Ibid*.

contamination of the cosmos suggests that God is not an omnipotent being, a view unlikely to have been acknowledged in Israelite society, particularly by the priests, as I have argued above. In addition, Boccaccini attempts to connect Qumran with the Enochians by suggesting that the inclusion of the Enoch literature in Qumran's library indicates that "the conflict between Zadokite Judaism and Enochic Judaism was still unresolved at the beginning of the second century BCE."[57] This implies that Qumran, too, denied the centrality of the Mosaic Torah, which is inconceivable given that Qumran was very much a Torah- and Temple-centered community. It is, furthermore, a circular argument: if one does not accept Boccaccini's assumption of a conflict between Zadokites and Enochians, then the inclusion of Enoch's writing in the Qumran Library does not demonstrate that such a conflict ever existed, nor that it had not been settled at that period.

3.2. The Danger of Imposing Modern Concepts on Ancient Authors and Example of Issues Related to the Subject of Our Investigation

Mazzinghi suggests that the statement "God is in heaven and you are on earth so let your words be few" (Qoh 5:1 in MT; Eccl 4:17 in KJV) represents a denial of any connection between the realms of heaven and earth, and of any possibility of explaining evil on earth in terms of the sins of the Watchers ("Evil is an unfathomable mystery").[58] While I agree that Scripture can and should be interpreted in myriad ways, I am somewhat taken aback by Mazzinhgi's assumption that the author of Qoheleth intended to contradict the heavenly origin of evil, as, in Mazzinghi's opinion, the author of the BW claimed. In fact, while we find elsewhere in Scripture an explicit declaration similar to that in Qoh, many other verses in Scripture imply a divine presence both in heaven and on earth.[59] Scripture also refers to God's concern for and

[57] *Ibid*.

[58] Luca Mazzinghi, "Qohelet and Enochism: A Critical Relationship," *Henoch* 24, 1–2 (2002): 157–168 at 162.

[59] We read in Ps 115:16, "The highest heavens belong to the Lord, but the earth he has given to man." However, in Ps 89:12 it is written, "The heavens are yours, and yours also the earth; you founded the world and all that is in it." The latter statement contradicts the former. Other verses in line with the latter include Deut 3:24, 4:39, and 10:14; 1 Kgs 8:23; and Hab 3:3. In addition, for example, we read in Josh 2:11, "for the Lord your God is God in heaven above and on the earth below"; Isa 66:1 states, "This is what the Lord says:

active involvement with the earthly world and humanity.[60] Mazzinghi's interpretation of the verse in Qoh is unsatisfactory, both because his understanding lacks any support in the text itself and because it seems unlikely that Jews during that period would have included Qoh in the Holy Scripture (and studied and preserved it in its library, as Qumran did) had it been perceived as denying God's immanence in the earthly world. Mazzinghi may have reason to believe that the Jewish conception of God is one of transcendence rather than immanence, but it seems quite a stretch to suggest that Jewish theologians of the relevant period would have supported and published such an Epicurian doctrine. Scriptural poetics are not proof of theological principles (to be contrasted with seemingly contradictory principles deduced from other biblical utterances), particularly in an ambiguous and elusive text such as Qoh.[61]

"Heaven is my throne, and the earth is my footstool. Where is the house you will build for me? Where will my resting place be?"; and in Jer 23:24 we read, "Do not I fill heaven and earth, declares the Lord."

[60] Numerous social rules and prophetic pronouncements in Scripture support the notion of God's concern for his creatures. We read in Mic 6:8: "And what does the Lord require of you? To act justly and to love mercy." We read a similar dictum in Isa 1:17: "Learn to do right! Seek justice, encourage the oppressed. Defend the cause of the fatherless, plead the case of the widow." Both maxims follow God's affirmation that he does not need sacrifices or desire them for himself, and that his altruism is for the benefit of humankind. This underscores the difference between the Jewish/monotheistic notion of God and pagan theologies in which the gods are not concerned with humanity. Indeed, in Jewish tradition the rabbis refer to the disbeliever as an *apikores* (a heretic), derived from the name of the Greek philosopher Epicuros (*m. Abot* 2:14). This is particularly remarkable because Epicuros did not deny the existence of gods but only emphasized their lack of involvement in human affairs. Nevertheless, to the rabbis, such a perspective of God constituted the antithesis of Jewish faith. God's active involvement in ensuring the fulfillment of his social instructions is evident in Exod 22:22–23: after the command, in the preceding verse, not to mistreat orphans and widows, follows threat of harsh divine punishment for the transgressors: "If you do and they cry out to me, I will certainly hear their cry. My anger will be aroused, and I will kill you with the sword; your wives will become widows and your children fatherless." A similar exhortation follows for the lender who behaves without compassion toward his poor debtor, in Exod 22:26: "When he cries out to me, I will hear, for I am compassionate, [and I will punish you]." God is not only the lawgiver but also the executor of punishment. Thus, God's intervention in human affairs is not abstract but very real.

[61] Eric S. Christianson, *Ecclesiastes through the Centuries* (Malden, MA: Blackwell Publishing, 2007), 1–16, under the heading "Testimonia," cites an array of divergent scholarly interpretations of Qoheleth, demonstrating the work's inherent ambiguity. In her analysis of Qoh, Carol A. Newsom, "Job and Ecclesiastes," in *Old Testament*

At first glance, the verse "God is in heaven and you are on earth so let your words be few" (Qoh 5:1 in MT; Eccl 4:17 in KJV) seems unclear. If, in fact—as Mazzinghi suggests—God is utterly removed from the earthly world, then why approach God at all? What Mazzinghi fails to take into account is the context in which this verse appears, which makes it clear that a particular mode of prayer is referred to. Thus, the author is not suggesting abstention from prayer but offering guidance on the proper mode of praying to God. It is not within the scope of this study to weigh in on the author's intention with respect to this particular verse; I only want to demonstrate that Mazzinghi's interpretation is far too flawed to support the notion of a revolutionary *Weltanschauung* on matters as significant as divine immanence and the source of evil in the ancient Jewish creed.[62]

It may be useful here to quote statements by the scholars R.E. Murphy and J. Crenshaw. Murphy writes, "How many far-fetched theories have been hazarded by modern writers who are locked up in their own crippling presuppositions? Even the vagaries and extravagances of ancient exegesis can have a sobering effect on current scholarship."[63] Crenshaw writes, "It may be that in the last resort Qoheleth is a mirror which reflects the soul of the interpreter. If so, there is sufficient vanity in scholarship to appreciate reliable mirrors."[64] Indeed, in our case it appears that Mazzinghi is imposing a modern understanding of the origin of evil on an ancient text. It is also possible that his personal religious beliefs led him to argue for divine transcendence versus immanence in ancient Jewish writings (which, he argues, was the intent of Qoheleth's

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Interpretation: Past, Present, and Future, Festschrift G. Tucker (ed. J. Mays, D. Petersen, and K. Richards; Nashville: Abingdon Press, 1995), 177–194 at 190, writes that "it is perhaps no accident that the book eludes the attempts of interpretive activity to fix its meaning determinately."

[62] We read in PS 115: vv. 16–18: "The highest heavens belong to the Lord, but the earth he has given to man. It is not the dead who praise the Lord, those who go down to silence. It is we who extol the Lord, both now and forevermore Praise the Lord." The concluding v. 18 provides the key to understanding the preceding verses. Since the dead cannot praise the Lord, it is the living, to whom God has granted the bounty of the land, who must praise him. Thus, according to my interpretation, verse 16 does not imply that the earth belongs to man rather than God, but emphasizes man's obligation to praise God for having given him the gift of the land.

[63] Ronald E. Murphy, "Qohelet Interpreted: The Bearing of the Past on the Present," *VT* 32, 3 (1982): 331–337 at 336.

[64] James Crenshaw, "Qoheleth in Current Research," *Hebrew Annual Review* 7 (1983): 41–56 at 51.

author).[65] We encounter another instance of cultural influences affecting scholarly research in the case of J.J. Collins, who writes that he is surprised "to find that this story [of Adam and Eve] is hardly reflected at all in the rest of the Hebrew Bible, although few [other biblical narratives] have had such a profound influence on the understanding of human nature in the Western world."[66] What Collins overlooks is that the Adam and Eve narrative, so significant in the development of Western civilization and Christian theology with respect to original sin, was clearly not perceived in this manner by the ancient Israelites. An attitude more in line with the ancient Israelites' must be adopted when one attempts to determine the original intent of ancient Jewish literature and how such literature may have been received at the time of its diffusion.[67]

3.3. Does the BW Solve the Dilemma of Theodicy?

The BW narrative cannot be interpreted as a theological absolution of the Deity for creating evil, because, according to the book of Enoch, God created everything, foresees everything, and governs the world according to His plans;[68] He is omniscient, omnipotent, and omnipresent (*1 En.* 9:5,

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[65] Other researchers, similarly, approach the subject with some bias. For example, Wright, *Origins*, 2, writes, "It is in this search [i.e., to discover how the presence of the evil spirits, described in Mark 5:1–20, could have emerged in the writings of the first century CE] that we encounter the Book of Watchers." Wright notes that he was looking for the source of Mark's narrative in first-century Jewish writings; his research was conducted with this specific aim. Similarly, I hypothesize that Mazzinghi was looking to early Jewish writings for evidence to substantiate the Christian assertion that Judaism sees God as transcendent, in order to prove that the coming of Jesus was what transformed the notion of God into that of the immanent divine.

[66] Collins, "Interpretation," 30.

[67] On the issue of the relationship between God and humankind, biblical theology perceives proximity, though not outright unity, between the two: the divine and the human converge at times, but there remains a critical distance between them. A rabbinic *midrash* in *b. Suk.* 5a echoes this particular theological conception. According to the *midrash*, when God descended upon Mount Sinai (Exod 19:20), a short distance separated God from the earth; similarly, when Moses ascended to heaven, there was some small remove between him and heaven (Exod 19:3). Michelangelo's renowned painting on cupola of the Sistine Chapel, which portrays God stretching His hand toward man's outstretched hand, just short of actually touching, affirms this theological view, according to which divine immanence is not absolute communion. My thanks to Professor Harry Fox for drawing my attention to the symbolic significance of this painting.

[68] Nickelsburg, "Apocalyptic and Myth," 399, asserts that the author of *1 Enoch* 6–11 "posits an angelic revolt as the answer" to the question "Why has God allowed man

11). This means that He created the Watchers with full knowledge of what their future held and of the deeds they would commit. Moreover, since He created everything, He is also responsible for the existence of evil.[69] The Watchers' narrative does not contradict this maxim.[70] This conception of God as omniscient and omnipotent while also absolutely good creates the problem of theodicy, since God could have created a world without evil. This is precisely the issue that Maimonides, inspired by the Muslim Kalam, tried to resolve by suggesting that God did not create evil, which, according to Maimonides, is merely the absence of good.[71] Thus, *1 En*. 98:4, which declares that man created evil, does not satisfactorily resolve the issue of theodicy; indeed, the author simply chooses not to question divine goodness at all. But even according to the theory that God did not create evil, He nevertheless remains responsible for its existence, as he could have prevented the Watchers (assuming they are the root of evil) from introducing such evil into the world before the Flood and from reintroducing it after the Flood and the destruction of all wicked humans and "all perversity from the face of the the earth" (10:16).

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to learn and master the techniques that support warfare?" This question seems to me utterly incongruous with Jewish thought. Scripture abounds with predictions of Israel's wickedness. Nickelsburg suggests an alternative understanding of the text, that is, that God will have the last word and the evildoers will be punished; but this, too, is not a satisfactory solution.

[69] This premise is at odds with David Suter's suggestion in "Theodicy and the Problem of the 'Intimate Enemy,'" in *Enoch and Qumran Origin* (ed. Gabriele Boccaccini; Grand Rapids, MI: Eerdmans, 2005), 329–335 at 333: "One possibility is that it [the Watchers myth] represents an etiology of the origin of evil." This is not the first evil act performed by man, as the sins of Adam and Eve and of Cain preceded the Watchers' rebellion. On the other hand, Suter's conjecture that the story of the spirits of the dead giants plaguing humanity points toward an etiological interpretation seems plausible. In fact, this may explain why humankind continued to sin after the Flood and the demise of all the wicked angels and their descendants.

[70] Michael Segal, *The Book of Jubilees: Rewritten Bible, Redaction, Ideology and Theology* (Leiden: Brill, 2007), 100, demonstrates that *Jub*. (which cites the Watchers' narrative) takes the same "approach characteristic of the Qumran sect, according to which God created evil from the beginning of time, together with good." Segal perceives the Treatise of the Two Spirits as evidence of Qumran's approach on this issue.

[71] Kalam is a movement within Islamic thought whose practitioners, the Mutakallim, investigated the being and attributes of God. On Maimonides' solution see his monumental writing *The Guide of the Perplexed*, Part III, chs. X and XII. An identical solution was offered by Augustine in *The City of God* XI, ch. 9: "Evil has no positive nature; but the loss of good has received the name 'evil.'"

Furthermore, Adam and Eve preceded the Watchers as the first recorded sinners.[72] In *1 Enoch* 10:20, Michael is sent to cleanse the earth of its lawlessness, and the author of the Epistle of Enoch (98:4) declares that lawlessness was not set upon earth from on high, but was created by man. In particular, the author refers to the sin of Adam and Eve, which introduced evil into the world, and *1 En*. 32:6 cites the punishment for this sin.[73] Scholars who disregard the sins of Adam and Eve and of Cain, asserting instead that the Watchers were the primary source of evil, ought not to claim that the "Enochians" rejected the Mosaic Torah and

[72] Mark Elliott, "Origin and Functions of the Watchers Theodicy," *Henoch* 24 (2002): 63–75 at 64–65, defends the thesis that theodicy is the central motif of the Watchers' narrative. According to Elliott, the author preferred the Watchers event to the Adam and Eve narrative because it offers a better paradigm for human sin. He alleges that Adam's sin consists solely of disobeying the divine command—what seems to be "a relatively benign choice to ignore the divine imperative." The sins of the Watchers, on the other hand, were proactive. I disagree with Elliott's assessment: in my opinion, Adam's eating of the forbidden fruit constitutes a violation of divine orders that is no less proactive than the Watchers' intercourse with human women. Elliott goes on to suggest that Adamic theodicy is universalistic, since Adam is the father of all humanity, whereas Noah, as the father of Shem, is the progenitor of Israel, and thus "is more easily applicable to the situation in Israel." Hence, "the Watchers theodicy is also appropiately termed an Israel-theodicy." But Elliott overlooks the fact that Noah is also the father of all humanity (since the Flood narrative attests to the total destruction of all humans except for Noah and his offspring). My primary question about Elliott's theory is, Why does he insist that the purpose of the Watchers' narrative is to offer an answer to the following questions: "Why is sin so prevalent even among those who wish to be righteous, or who try to choose righteousness?" and "How can evil be so universal, so penetrating, and so disabling?" Though Elliott, in his rhetoric, divides the issue of sin and evil in two, in effect they are intrinsically intertwined: doing evil amounts to sin. The Old Testament is permeated with sins, that is, with examples of people doing evil prohibited by God, but at the same time preaches repentance, which demonstrates humanity's ability to escape sin by avoiding evil deeds. Hence, the existence of evil does not prevent humankind from wining the struggle against evil, and thus sin does not prevail, as Elliott alleges. This is true not only for Israel but for humanity as a whole. The repentance of the city of Nineveh, in the book of Jonah, is a case in point.

[73] Segal, *Jubilees*, 100, writes that *Jubilees* "hints to the sin in the Garden of Eden as the origin of human sin that eventually brought about the flood." He therefore disputes the scholarly interpretation of the Watchers' story in *1 Enoch* and in *Jub*., which argues that evil came into existence as a consequence of the Watchers' sin. Segal sees Qumran's belief that "God created evil from the beginning of time" as supporting his assertion. Cf. Sacchi, "Riflessioni," who writes that the author of the Enoch apocalypse perceived Cain's murder of Abel as the first sin. According to Sacchi, Adam is represented in *1 En*. 85:3 as the white bull, a metaphor for righteousness. I, on the other hand, believe that the text of *1 En*. 32:6 indicates punishment, as it points to the fact that Adam and Eve were driven from the Garden of Eden. Sacchi builds his thesis regarding a particular type of original sin, as discussed above, on his speculations about the apparent contradiction between (his perception of) Adam's righteousness and man's original sin.

its narratives, as some suggest, since their sins and punishment appear explicitly in *1 En.* 32:6 and 22:7.[74] This is a much-debated issue, which serves only as "circular evidence" for the theory that the Watchers are the primary source of evil.

One wonders whether it is possible that the author and redactor of the Watchers' narrative were simply unaware of Isaiah's assertion, quoted above, that God acknowledges his creation of evil or whether they chose to disregard it as insignificant or even false.[75] The same question applies to their readers, the alleged "Enochic Jews": Did they disregard all of Israel's prophets because they are not mentioned in *1 Enoch*, in accordance with the theory that the absence of any reference to Moses or the Torah implies that the "Enochic Jews" repudiated both? I do not believe that this is the case, as such theories would not be within the horizon of the readers' expectations.[76] I am puzzled that scholars have failed to address such a crucial question.

3.4. Methodological Issues of Scholarly Propositions, and a Counter-Proposition

3.4.1. *Deductions from Myths*

D. Suter does not accept the conjecture that the aetiology of the origin of evil is the focus of the Watchers' story; he believes that this would be in contrast to the traditional Jewish Adamic myth. In his opinion, the myth of the Watchers in the BW has two primary focuses: the purity of the angels, polluted by taking human wives, and its relation to the

[74] Some scholars may have assumed that the story of Adam and Eve recorded in *1 Enoch* is utterly distinct from the biblical story, and that their being "driven from the garden" was not the result of their transgression of a divine command. In contrast to the the details of Cain's sin, *1 En.* 32:6 does not explicitly indicate the motive for Adam and Eve's expulsion from the Garden.

[75] John J. Collins, *Seers, Sybils, and Sages in Hellenistic-Roman Judaism* (Leiden: Brill, 1997) 294, mentions Isaiah's pronouncement as well as other biblical utterances indicating that "responsibility for evil rest[s] with God," but he attributes this to Deuteronomic monism. Collins implicitly suggests that in Enoch, as in the Scrolls, one finds Dualism of the Persian type—hence his attribution of evil to another heavenly power. Consequently, he insists that the "Enochians" rejected the Pentateuch and the prophetic books. This assertion is part of an overarching effort to prove the existence of a group of third-century BCE Israelites who rejected the Mosaic revelation and the scriptural prophets.

[76] On this issue see Kugler, "Hearing 4Q225," 82–84; and Doering, "Parallel," 25. Grossman, *Reading*, 21, writes, "it is the audience that determines the readings of texts and their interrelationships [with other familiar texts]."

family purity of the Jerusalemite priesthood, defiled by their illegitimate marriages.[77] My primary methodological question to Suter is whether we can ever actually know the original purpose of a given myth, given that myths typically undergo a tremendous amount of change over the course of their lives. Indeed, we find that new religions reappropriate holidays, attributing to them new meanings and significance. Sometimes the original intention remains in the background of the new, but often it disappears into the abyss of forgetfulness. Some examples from Jewish mythology: First, the spreading of blood on the doorposts (Exod 12:22), an ancient myth connected with the start of the calving season (as is speculated today), has been given an utterly new meaning and historical foundation;[78] second, we find that scholars are unable to explain the origins of the red heifer ordinance (associated with ritual cleansing in Numbers ch. 19). Similarly, the myth of the Watchers has undergone many changes since its inception (possibly engendered by a distinct—i.e., non-Jewish—culture), from the terse Scriptural recording of the myth to the verses in *1 Enoch* and *Jubilees* that expound on it in great detail.[79] For the sake of taking the tried and true path, I would suggest that we understand the Enoch version as the last phase in the development of this narrative, in its Jewish configuration. Even if we assume that the myth was generally known in Israel before the final redaction of Genesis, this hypothesis remains intact.[80]

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[77] David Suter, "Fallen Angels, Fallen Priest: The Problem of Family Purity in *1 Enoch* 6–16," *HUCA* 50 (1979): 115–135 at 116.

[78] We read in Exod 12:23: "When the Lord goes through the land to strike down the Egyptians, he will see the blood on the top and sides of the doorframe and will pass over that doorway, and he will not permit the destroyer to enter your houses and strike you down."

[79] See Collins, *Seers*, 289.

[80] I disagree with the assertion by Philip R. Davies, "And Enoch Was Not, for Genesis Took Him," in *Biblical Traditions in Transition* (ed. Charlotte Hempel and Judith M. Lieu; Leiden: Brill, 2006), 97–107, regarding inconsistencies in the theory that this narrative was known before the redaction of Genesis. While the redactor/s of Gen 6 could not have obfuscated a well-known story, in the case of a narrative that surfaced only occasionally, and even then only as a blurred memory, the redactor/s could have taken the liberty of editing the myth and manipulating it for their purposes, in this case eliminating elements that conflicted with their theological beliefs. See, for example, the many scholarly speculations about the real motive for the battles between the Israelites and the tribe of Benjamin, which, in Judg chs. 19 and 20, are said to have been caused by the killing of a concubine by a member of the Benjamite tribe. A.S. van der Woude and T.C. Vriesen, *Ancient Israelite and Early Jewish Literature* (trans. Brian Doyle; Leiden: Brill, 2005), 126, in their discourse about myths in the Old Testament (in which

Thus, I postulate that the purpose of the BW narrative's initial core (vv. 6–16) was to clarify the vague Scriptural record. The terseness of the original text was perhaps intended to hide the story's heathen origins (in this it would have been not unlike many biblical narratives appropriated from surrounding cultures).[81] Further elaboration on the story, including the addition of vivid descriptions of the Watchers' sins and their punishment, as well as of the destruction of evil and the salvation of the righteous (10:17), in an eschatological period during which righteousness and truth will hold absolute dominion, rendered this an authentic Jewish narrative.[82] Ultimately, the narrative was transformed into an elaborate hortatory opus on the promise of boundless reward for the righteous and eternal retribution for the sinner, as is evident from the literary structure of *1 Enoch*.[83]

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he mentions Gen 6:1–4), write, "While it would appear that many such myths were clearly well known among the people, one can conclude that Israel's spiritual leaders endeavoured where possible to distance themselves therefrom, transforming and historicising mythical material and thereby placing it at the service [of] Israel's faith in God."

[81] See Helge S. Kvanvig, "The Watchers Story, Genesis and *Atra-Hasis*: A Triangular Reading," *Henoch* 24 (2002): 17–21, on the *Atra-Hasis* source of the BW, which contains narratives utterly contradictory to Genesis and the Jewish creed. Nickelsburg, "Apocalyptic and Myth," 399 ff., compares the Asael story with the Prometheus myth. While his analogies make sense, I have some doubts about his overall thesis. Chapters 6–11 of *1 En*. are supposed to represent the earliest elements of the BW narrative, dated at about the mid-third century BCE, but are believed to be derived from earlier traditions. The Hellenistic period began in 332 BCE, however, and thus, at most, there were eighty years between the beginning of Hellenism and the writing of the entire BW narrative. It seems implausible that within such a relatively short period ideas so profoundly opposed to mainstream Jewish doctrines would have penetrated Jewish culture to the point of inducing pious Jewish thinkers to use Greek mythology in their exegesis of the Torah and in their hortative discourses. See Hanson, "Rebellion," 218, who suggests ancient Near Eastern myths as the source of the BW narrative.

[82] Collins, "Apocalyptic," 105–107, writes that "the actual journey of Enoch draws in part on biblical traditions," but points out that there are also "significant echoes of Mesopotamian lore." While I agree with this assertion, I believe that this lore was heavily "judaized," as were myriad biblical mythologies whose Mesopotamian source is evident. I think that Collins would agree with me on this, as he writes that "Enoch's journey may be more deeply rooted in native Israelite traditions than we can document."

[83] Ibid., 93, quoting Lars Hartman, "Survey of the Problem of Apocalypse Genre," in *Apocalypticism in the Mediterranean World and the Near East: Proceedings of the International Colloquium on Apocalypticism, Uppsala, August 12–17, 1979* (ed. David Hellholm; Tübingen: J.C.B. Mohr, 1983), who asserts that "consolation and exhortation are typical illocutions of apocalypses."

3.4.2. *Purpose and Function of the BW*

Suter sees the Watchers' narrative as primarily a polemic, attacking the Jerusalemite priesthood for engaging in mixed marriages and describing the effects of such marriages on the purity of the priesthood.[84] His theory lacks any textual support, and is based on his perception of "the centrality of the fallen angels in the myth." I dispute his theory on methodological and factual grounds, as well as arguing that his supporting evidence is in fact unfounded. It is important to distinguish between the myth itself, that is, the core of the Watchers' story, and the book as a whole, in which the author/editor relates the central message he deduces from the myth. For our purposes, the question of how the original myth was understood and speculations about the intent and perception of the creator of this myth are largely irrelevant.[85] What is crucial is that we investigate what the authors of the book and, even more importantly, what the editor and initial readers deduced from the myth and its exposition in *1 Enoch*.[86] For example, Christians deduced the coming of Jesus from various texts of the Old Testament, but it is evident that the ancient readers of these passages did not reach the same conclusions.[87] This awareness can help us gain a better sense of the theological outlook prevalent in Israelite society at the time of the book's appearance. In the case of the Watchers' myth, as with other Genesis myths that underwent considerable ideological and theological changes in later Israelite literature,[88] we

[84] Suter, "Fallen Angels," 118.

[85] Helge S. Kvanvig, "Origin and Identity of the Enoch Group," *Henoch* 24 (2002): 207–212 at 208, pinpoints the background of Enoch portraits and stories in three Babylonian antecedents. Similarly, the real meaning of the text—if such a concept is at all conceivable, since meaning is what each participant, author or reader, perceives—is not relevant for our purposes.

[86] Collins, "Apocalyptic," 96, commenting on the BW, emphasizes the importance of taking into account its final redaction. While parts of the book may have originated independently of one another, the story of the Watchers "is now incorporated into Enoch's revelation of the destiny of the righteous and the wicked." The same applies to the entire book of *1 Enoch*, considering its function as a hortatory opus.

[87] John J. Collins, "The Expectation of the End in the Dead Sea Scrolls," in *Eschatology, Messianism, and the Dead Sea Scrolls* (ed. Craig A. Evans and Peter W. Flint; Grand Rapids, MI: Eerdmans, 1997) 74–90 at 75, cites the changes that occurred in the meaning of the expression באחרית הימים "end of days." In Gen 49:1 it meant "in the course of time, in future days," in an unspecified but limited time, but in the Prophets and in Qumran literature it was "reinterpreted and given an eschatological sense."

[88] Mark Elliott, "Covenant and Cosmology in the Book of the Watchers and the Astronomical Book," *Henoch* 24 (2002): 23–38 at 23, writes, "How a written presentation, concept or term is being used in a particular social context is of equal or greater concern,

should be attempting to understand the work's underlying doctrines, not trying to ascertain its Mesopotamian ideological basis.[89]

In a later study, Suter perceives mythologies as paradigms, that is, as instructive parables.[90] He also suggests that an analysis of Jewish literature of the relevant period could provide insight into how the Watchers' narrative was perceived at that time (thus acknowledging that there may well be differences between the ways in which ancient and current readers apprehend(ed) the message of a given parable). I believe that he would agree with my argument against imposing modern thinking on ancient authors and readers. A close examination of the structure of the BW can help to demonstrate its purpose:[91] chapters 1–5 serve as an introduction to the opus and, along with the conclusion, illustrate the book's central motif.[92] Verses 1:1–7 portray the divine Court of Judgment, while 1:8 indicates the primary function of the Court, that is, praise and reward of the righteous, and verse 9 mentions the conviction and punishment of the wicked. Thus, from the very beginning we observe the prominence of reward for the righteous. Verses 2:1–5:4 expound on the nature of the villains' sin (the good deeds of the righteous do not require elucidation), and mention of their punishment follows in 5:5–6a. The righteous and their reward are portrayed far more extensively, however, than the punishment of the sinners, which further demonstrates the centrality of the righteous in this book.[93] The myth of the rebellion of the Watchers, the shortest element of the work, is recorded between 6:1 and 8:4, and is followed by a description of the heavenly reaction to the Watchers' misdoings. After a short insertion on the subject of Noah's salvation, the remainder of the text (the major content, from 10:4 through the end of the BW at 36:4) portrays the

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in other words, than the simple fact that it is being used." He then states (at 26), "There are enough differences in the way that these ideas were employed [in *1 Enoch* and in Mesopotamian mythology]."

[89] See Brian Schmidt, "The Origins of Enoch Traditions: The View from Outside," *Henoch* 24 (2002): 49–53, on the issue of whether the Genesis myths are closer to the Gilgamesh epos or to the *Atra-Hasis* story.

[90] Suter, "Revisiting 'Fallen Angel,'" 138.

[91] I agree with Collins, *Seers*, 288, who points out that it is not incidental that two-thirds of the BW are taken up with Enoch's tours and descriptions of the final judgment.

[92] See Florentino García Martínez and Eibert J.C. Tigchelaar, "The Books of Enoch (*1 Enoch*) and the Aramaic Fragments from Qumran," *RevQ* 14, 1 (1989): 131–146 at 137.

[93] We read there phrases such as "the chosen will rejoice" and "they will inherit the earth" (5:6); "for the chosen there will be light and joy and peace" (5:7); "wisdom will be given to all the chosen" (5:8); and "eternal peace all the days of their life" (5:9).

ultimate reward of the righteous and retribution for the wicked. This latter section begins with a detailed legal accusation against the Watchers for their actions and influence, and proceeds to sentence them to eternal damnation and to the afflictions visited upon all sinners (without the possibility of pardon).

The later sections of *1 Enoch* follow the general pattern of the BW. In vivid language they describe the reward of the righteous and the severe punishment of the wicked, citing as evidence "historical" events from the BW narrative as well as comparable incidents from the past and prophecies for the future. The conclusion of the Epistle (104:9–105:2), the functional conclusion of the book, recapitulates its essence: a portrayal of the wickedness of the sinners and the joy and reward of the righteous. Once again, the text's final verses serve to further emphasize the author's/editor's original intent, which grants greater significance to the reward of the righteous than to the punishment of the wicked.[94] Thus, it is clear that the editor is employing the myth of the Watchers to lend authenticity to his sermon on reward and punishment.[95] Finally, further proof that the Watchers' narrative is not central to the editor's overarching purpose can be found in the text itself: While the author/editor depicts both the reward of the righteous and the punishment of the sinners, only the portrayal of the plight of the wicked is authenticated by the myth of the Watchers. No similar "historical" support for the descriptions of the reward of the righteous is cited. The Watchers' narrative thus relates to only one aspect of the book's purpose (the call to repentance) and therefore cannot be perceived as the central focus of the work. Given the straightforward structure of *1 Enoch*, attempts to uncover hidden intentions (without reasonable textual support) seem unwarranted. The many disparate scholarly conjectures about the intent and purpose of the Watchers' narrative are all problematic, as none of them correspond with the text.[96]

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[94] The "grand finale" of the opus asserts, "And you will have peace. Rejoice, O children of truth. Amen" (105:2). Elliott, "Covenant and Cosmology," 26, writes, "There are enough differences in the way that these ideas were employed [in *1 Enoch* and in Mesopotamian mythology]," referring to the BW and BA segments of *1 Enoch* and arguing that the manner in which a myth is employed is key to understanding the author's perception of that myth.

[95] John J. Collins, *The Apocalyptic Imagination*, 2nd ed. (Grand Rapids, MI: Eerdmans, 1998), 40, asserts that the reason for pseudonymity "would seem to be bound up with a claim of authenticity."

[96] Adela Yarbro Collins, "The Theology of Early Enochic Literature," *Henoch* 24 (2002): 107–112, offers a concise summary of several scholarly conjectures.

In conclusion, we must presume that the editor of *1 Enoch* used the BW as supporting evidence for his overarching hortatory purpose. Indeed, had he perceived the BW as a text endorsing an extraterrestrial source of evil, he would not have included it, as the text is at best extraneous to this fundamental aim and contradicts explicit Scriptural assertions regarding man's role in "creating" evil, acknowledged in 98:4.

3.4.3. *Scrutiny of Suter's Supporting Evidence*

3.4.3.1. *Consequence of Prohibited Intercourse on Partners or Offspring*

D. Suter disputes the conjecture that the Watchers' narrative was written as an exploration of the origins of evil.[97] According to him, this contradicts the traditional (Jewish) Adamic myth. Instead, he writes, "the effect of the angels' actions, both on themselves and on their descendants, is the central concern of the myth." According to Suter, this is the purpose of the narrative, serving as implicit criticism of the Jerusalemite priests, who, he suggests, defiled family purity by marrying women forbidden to them. Similarly, G. Macaskill suggests that the narrative is primarily focused on prohibited marriages between priests and Gentiles.[98] I would like to dispute various scholarly theories on the effects of these forbidden marriages. Suter cites the term *mamzerim*, used loosely in the Greek version of *1 En*. 10:9 to refer to the offspring of angels and women, "a marriage contracted beyond the legitimate degrees of matrimony." However, this enigmatic scriptural term, as defined by the rabbis, is used specifically to refer to children conceived through adultery, incest, and similar;[99] it is not a general term for the offspring of all prohibited unions. Thus, even if we assume that the BW constitutes a polemic against the priests for marrying Israelite women (which was forbidden only according to the laws of Qumran), the offspring of such unions are certainly not *mamzerim*.[100] Similarly, the union of a priest and a Gentile woman

[97] Suter, "Fallen Angels," 116.

[98] Grant Macaskill, "Priestly Purity, Mosaic Torah and the Emergence of Enochic Judaism," *Henoch* 29 (2007): 67–89 at 78. Eibert J.C. Tigchelaar, "Some Remarks on the Book of the Watchers, the Priests, Enoch and Genesis, and 4Q208," *Henoch* 24 (2002): 143–145 at 144, writes, "On the level of the Watcher-narrative the issue is not illegitimate marriages as opposed to legitimate ones, but marriage as opposed to non-marriage."

[99] The LXX translates this term as ἐκ πόρνης "from fornication." In contrast, for the biblical term חלל, used for the offspring of a prohibited marriage of a priest in Lev 21:15, the LXX uses the term βεβηλόω "profane." See also n. 183.

[100] Scripture (Deut 23:3) does not specify which prohibited unions render the offspring a *mamzer*. The Rabbis dispute this issue in *m. Yeb*. 4:13, but the halakhah is that the status

does not render the offspring a *mamzer* according to rabbinic rulings.[101] Some prohibited sexual relations can potentially affect the family purity status of offspring, rather than their qualification to serve as priests, but according to Scripture they are called חלל "khalal," not ממזר "mamzer."[102]

The Greek translator of *1 Enoch* used the biblical term, for lack of a better one, to denote the offspring of prohibited marriages. Further, we are unaware of the Aramaic term used by the author of the primary original version; hence, a second or third translation version cannot serve as evidence for an assumption contrasting other opposed evidence. Suter asserts that the Watchers' myth is "concerned with the purity of the angels themselves and with the pollution of their bodies that results from taking human wives"; he argues that "the effect of the angels' action on the human race is secondary to the concern with their purity." Suter adduces several additional arguments—none of them satisfactory, in my opinion—to support his thesis that one may gain a better understanding of the BW from comparable Jewish literature of the period.[103] While I agree with this general approach, Suter fails to cite convincing textual evidence from said literature. Ultimately, I believe that the purpose and function of the Watchers' narrative can best be understood through a close examination of the text itself. Moreover, if the core of the narrative is criticism of the priests, how are we to explain the amalgamation of the Watchers' punishment for their delinquency against family purity with that of the stars for their failure to come out at their appointed time (18:14–15), in disobedience to a divine command? Suter limits his conjecture to chapters 6–16, but even if we presume that chapters 17–36 were written by a different author, the combined narratives of the fallen angels and the stars demonstrate that the redactor did not set out

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of *mamzer* applies solely to illegitimate marriages that warrant a severe punishment such as *Karet*. Thus, for example, a child conceived through intercourse with a menstruating woman is not a *mamzer*, nor is a child born from a forbidden marriage of a priest with a divorced woman, according to Scripture. (The other mention of the term *mamzer*, in Zech 9:6, is translated by the LXX as "strangers/of another race" and has nothing in common with forbidden marriages).

[101] Unless the LXX assumed that the Watchers are accused of having intercourse with married women, as per a *midrash* in *Gen. Rab.* (Vilna) 26:5.

[102] We read in Lev 21:15 the consequences of a High Priest's illegitimate marriage with a widow, a divorced woman, or a woman defiled by prostitution: "so that he will not defile his offspring among his people." In Lev 21 the term חלל is used for all kind of transgressions and wrong behavior by priests and their effect on the Temple's defilement. The term *mamzer* is not used.

[103] Suter, "Fallen Angels," 128–129.

to criticize the purity status of the priests. Furthermore, the punishment mentioned in 10:14–11:2 clearly refers to all human sinners and their myriad misdeeds, and is not limited to a restricted group of priests who are accused of a particular sin.[104]

I believe that Suter arrived at his conjecture regarding the prohibited marriages on the basis of erroneous interpretations.[105] Suter associates the dictum in the Testament of Levi (9:10) that a priest must take a wife without blemish or pollution with the prohibition on mixed marriage issued by Ezra and Nehemiah, and therefore perceives all marriage restrictions as similarly aimed at ensuring "family purity." On this basis he argues that Ezra's decrees reflect "a tendency toward priestly marriages within a relatively closed circle in order to maintain the purity of the priesthood." However, the marriage restrictions of the priests in the Testament of Levi, Josephus, and Philo, as cited by Suter, are duly enumerated in Scripture and are unrelated to the restrictions imposed by Ezra and Nehemiah; they apply to different segments of the people and derive from distinct motivations.[106] The first set of rules apply exclusively to priests, whereas those instituted by Ezra and Nehemiah relate to mixed marriages that are forbidden for all Israelites, including priests;[107] however these forbidden marriages have no effect on "family purity" (the core of Suter's thesis), an issue that is specifically relevant to priests, as defined in Lev ch. 21.[108] In fact, the decree issued by Ezra and Nehemiah

[104] Among the phrases that appear there are "everyone who is condemned," "destroy all perversity from the face of the earth," and "cleanse the earth from all impurity."

[105] Suter, "Fallen Angels," 119.

[106] Scripture explicitly indicates the purpose of the prohibition on marrying Canaanite women (Deut 7:3–4), and Ezra and Nehemiah indicate their reasons for extending this prohibition to apply to all Gentile women. Whereas Ezra, in ch. 9, invokes Scripture, hinting indirectly at Deut 7:3–4 and 20:17–19 as the origin of the prohibition without much additional explanation, Nehemiah (13:23–28) elaborates on the motivations for the prohibition. Nowhere, however, does he invoke the issue of family purity; rather, he notes the bad influence of intermarriages, indicating the consequences of Solomon's marriages with foreign women, and the indisposition of the sons of the mixed couples to adhere to the Jewish people and their customs and laws. (The reason for the biblical prohibition on marrying Ammonites and Moabites is clearly indicated in Scripture and is utterly unrelated to issues of purity.)

[107] The Testament of Levi repeats *verbatim* the text of Lev 21:7, which refers exclusively to priests. On the other hand, the relevant texts of Ezra and Nehemiah (Ezra 9:1; 10:5; 10:18; Neh 13:28) refer self-evidently to all Israelites.

[108] Ezra 2:62, "These searched for their family records, but they could not find them and so were excluded from the priesthood as unfit" (the NIV translates the ambiguous term וַיִּגָּאֲלוּ as "unclean," and the KJV as "polluted," but I perceive it from the context as meaning "unfit to serve as priests"), is associated not with "family purity," the result of

that Gentile women and children be sent away was motivated by political considerations rather than by a desire to preserve genealogical purity.[109] The leaders' intention was to establish a clear separation between Jews and Gentiles in order to eliminate corrupting influences. Moreover, these decrees did not refer exclusively to priests but applied to all Israelites.

Ezra and Nehemiah brought to the foreground the issue of the illegitimate mixed marriages of priests and princes, in order to emphasize that even the highest ranks of society were guilty of these transgressions (Ezra 9:1–2; Neh 13:28). According to Nickelsburg, Ezra discovered "that

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some forbidden marriages, but with genealogy, which relates to ensuring descent from the Aaronite clan. The verses indicate explicitly the issue of these families as referring to their ancestry, that is, to whether or not they were from the priestly clan, since they had no records of their ancestry, such as the other priests presumably possessed. This interpretation is further supported by the text of the preceding verses (2:60–61), which enumerate the names of ratified priestly families. Verse 61 recounts the certified priests, starting with the phrase ומבני הכהנים "and of the children of the priests," and proceeds with those whose genealogy was not certified. Consequently, the succeeding verse 63 indicates the solution to that problem, which will remain pending until there comes "a priest with Urim and with Thummim," that is, an oracle who will be able to determine their true genealogy. Furthermore, the preceding issue of the Israelites who "could not show that their families were descended from Israel" (2:59) similarly relates to their genealogy, specifically the fact that "they could not tell their fathers' houses, and their seed, whether they were of Israel." There is no mention of purity, but many references to genealogy, in this narrative in ch. 2, which records the names and origins of the returnees, long before the emergence of the intermarriage issue.

[109] Suter, "Fallen Angels," 120, writes that Ezra's prohibition answered the "need for the maintenance of racial and cultural identity in a world of flux" by combining two unrelated motives. Whereas cultural identity constitutes a defence against assimilation, racial purity is not a necessary factor for such a goal. The social consequences of a mixed marriage create the environment for assimilation. The term זֶרַע "seed," as it appears in Ezra and Nehemiah, should be understood as referring to the stock or offspring of Israelites, as in Neh 9:8, which refers to God's promise to Abraham to give Canaan to his children/descendants. Scripture uses the term in most cases to refer to someone's descendants or to the members of a people, whether Jewish or Gentile. We encounter this term as referring to descendants in Gen 3:15: God says to the serpent, "And I will put enmity between you and the woman." Though the term זֶרַע is used for both the woman and the serpent, it is obvious that it does not refer to "seed" but to descendants. In Gen 4:25, Adam calls his son Seth, saying, "God has granted me another child in place of Abel." Here the term זֶרַע must be interpreted as "child." There are many more such examples. Further, if we interpret the term זֶרַע indiscriminately as "seed," it must refer to the man, who provides the seed, not to the woman; hence, the children born from an intercourse between an Israelite man and a Gentile woman are of Israelite seed. Yet Ezra and Nehemiah commanded the expulsion of children born of Israelite fathers. I do not agree with Christine E. Hayes' thesis, in *Gentile Impurities and Jewish Identities: Intermarriage and Conversion from the Bible to the Talmud* (Oxford: Oxford University Press, 2002), that Ezra and Nehemiah's prohibition against intermarriage with all Gentile women was promulgated by their desire to keep the Jews racially "pure."

many of the Israelites, but notably a significant number of priests and Levites, have married foreign women."[110] I disagree with this assertion (which, incidentally, would support Suter's theory) because it does not correspond with the original text of Ezra 9:1: "After these things had been done, the leaders came to me and said, 'The people of Israel, including the priests and the Levites, have not kept themselves separate from the neighboring peoples with their detestable practices.' "

Further, there is a crucial difference between the consequences of the Watchers' behavior and what resulted from the priests' actions. The Watchers polluted themselves through their prohibited intercourse (which affected only the perpetrators, as is amply emphasized in *1 Enoch*).[111] In the case of the priests and the High Priest, however, the prohibited unions rendered any resulting offspring unfit to serve in the Temple, without polluting themselves. Thus, the Watchers' narrative cannot be understood as veiled criticism of the priests for damaging "family purity." Lev 21:15 explicitly indicates the reason that the High Priest was prohibited from marrying a certain group of women: "so that he will not defile his offspring among his people."[112] There is no indication in Scripture that such unions affect the status of the priest.[113] Indeed, according to the rabbis, the priest was punished for his transgression by thirty-nine strokes (*b. Kid. 78a*), but he remained eligible to continue serving in the Temple. Qumran, too, distinguishes between the effect of the Watchers' sin and that of the priests' sin. We read in 4Q531 (4QEnGiants^{c} ar) 1:1, "the Watchers are defiled," but in 4Q396 (4QMMT^{c}) IV:10–11, regarding the prohibited marriage of a priest, we read, "and] th[ey]unite with each other and defile the [holy] seed [and also] their (own) [seed] with fornications." No mention is made of the priest becoming defiled through his sin.

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[110] Nickelsburg, *1 Enoch 1*, 231.

[111] *1 En.* 7:2–5 recounts the giants' inordinate size and their lawless behavior, specifically their devouring of humans and animals to satisfy their large appetites; but there is no suggestion of pollution or defilement.

[112] We read there, "He must not marry a widow, a divorced woman, or a woman defiled by prostitution, but only a virgin from his own people." In fact, according to the biblical text, only the offspring of a High Priest conceived from a prohibited union becomes a חלל, rendering him unfit to serve as a priest, and there is no such provision regarding the unions prohibited to a simple priest. The rabbis, however, extended these consequences to apply to all priests, and so did Qumran.

[113] We read in *b. Sota* 23:2: "the priest is not defiled [by a prohibited marriage]. How do we know it? [Since] it is said he will not defile is offspring [and that means] he defiles his offspring [by such marriage] but he is not defiled."

3.4.3.2. *Arguments Regarding the Validity of Suter's Evidence from Qumran Writings*

Suter cites the exhortation in CD II:16–21 as supporting his thesis, but this exhortation refer not to priests alone but to all sinners who fail to do God's bidding (instead yielding to sinful urges).[114] The author warns that many have gone astray through sinful thoughts, even the "strong and doughty men of old," that is, the Watchers. He describes the nature of the sins committed by the Watchers and their sons: "they did not observe the commandments of God" and "did their own will"; but he omits the particulars of the sin, which are presumably considered secondary to the overarching sin, the fundamental violation of God's command. The CD accusations thus do not refer to the priests or to the defilement of the Temple, despite Suter's assertions.[115] Similarly, the *Testaments of Levi* and Naphtali, which Suter also quotes, do not suggest that the character of the priests' sins is connected to that of the Watchers'. Suter cites supporting evidence from the Testaments and Qumran, but this evidence is questionable. *T. Levi* 14 enumerates various future misdoings by the priests, but no mention is made of their defilement through sexual misconduct; in fact, the priests are accused of defiling married women and virigins. Furthermore, in *T. Naph*. 4:1, when the author declares that he knows (from reading Enoch) that the Israelites will sin, he is not referring to the priests but to all Israelites. Thus, there seems to be no connection between the sins of the Watchers and those of the priests, which further underscores the fact that the Watchers' narrative was not aimed at preaching against mixed or illegitimate marriages by priests, despite Suter's claims.[116] Martha Himmelfarb challenges Suter's hypothesis by pointing out that none of the specific types of prohibited marriages in which the priests are accused of engaging is cited in the Watchers' narrative;[117] that is, while the priests are prohibited from marrying specific categories of women, the Watchers are forbidden to marry at all.

There is no valid reason for the BW's author to conceal the purpose of his accusation, if accusation it was. He could have proceeded like the Qumran author who explicitly accused the priests of severe wrongdoing

[114] Suter, "Fallen Angels," 124.

[115] Ibid., 129.

[116] Ibid., 130, Suter doubts the originality of a MS that allegedly establishes a connection between the Testaments and the Watchers.

[117] Martha Himmelfarb, "The Book of the Watchers and the Priests of Jerusalem," *Henoch* 24 (2002): 131–135 at 133.

without divulging their names. Concealing the motive of a text undermines the purpose and function of an accusation against a particular group and specific transgression. The style of the BW narrative, therefore, makes it implausible as a veiled accusation relating to the priests' forbidden marriages.

In light of all the arguments presented thus far, I believe it is clear that the primary obective of the BW narrative and/or of *1 Enoch* is neither to delineate the origins of evil nor to criticize the priests for engaging in prohibited unions. Neither is intermarriage the focal point of the Watchers' author, or of *1 Enoch*'s authors/redactors.[118] Rather, the work is a hortatory text aimed at encouraging the Israelites toward righteousness by preaching about the rewarding of the righteous and the punishment of sinners. The BW (which suggests heavenly revelation) served as a utilitarian device that could captivate first listeners and, later, readers and that lent the sermon an air of authenticity.[119]

3.5. The Pitfalls of Imposing Modern Concepts on Authors and Readers of Ancient Texts: Proof of Different Understandings from Texts of the Period—Jesus' Parables

It is essential that we recognize plausible differences between how the ancient reader might approach and understand a given text and how his modern counterpart might do so. This is especially true in cases such as this one, where historical records of a work's general reception are sparse or altogether absent. As examples of this phenomenon I explore several of Jesus' parables, which, were it not for the authorial prologues and epilogues that delineate his intent, would surely be open to myriad possible interpretations.

Jesus explicitly told his listeners the meaning of the parable of the Good Samaritan (Luke 10:25–37), whose paradigmatic function and

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[118] I refer to Suter's theory and a similar one by G. Macaskill.

[119] Collins, "Apocalyptic," 103, writes that chs. 17–19 may have been added to the Watchers' narrative "to reinforce the certainty of the judgment by showing that the place of judgment is 'really' there, and thereby amplify the fear of God." This underscores my thesis that the hortative function of the narrative is the main purpose of the edited BW. James C. VanderKam, *Enoch and the Growth of an Apocalyptic Tradition* (CBQMS 16; Washington, DC: Catholic Biblical Association of America, 1984), 151, perceives *1 En.* 81:1–2 "to assure the reader that Enoch did not fabricate what he said. He had learned it during his lengthy sojourn with the angels."

literary structure are similar to those of the Book of Watchers (though with some key differences). The parable opens with an introduction that explicitly states its purpose: to answer the question, "What must I do to inherit eternal life?" The parable, which is meant to guide the listener in the pursuit of this reward, concludes by stating that even the bad and hated Samaritan must be loved, and that it is precisely through such unequivocal love that one merits eternal life.

Had Jesus neglected to explain the precise purpose and meaning of this parable, contemporary scholars with modern viewpoints would surely offer diverging interpretations. For example, the parable might have been interpreted as criticizing clerics, from whom one expects virtuous behavior. Such speculation would seem quite plausible, given that Jesus does not bring an example from among the lay Jewish population but points to the wrong behavior of a priest and a Levite. Yet it is clear that such interpretations derive from a modernist reading of the text.

Consider the example of a possible modern interpretation of a different parable—that of Jesus defending the adulteress (John 8:3–11)—which, in the absence of the explicit explanation given, would conflict with Jesus' actual intention. By applying our modern modes of interpretation, we might have deduced that Jesus was defending the adulteress (against society's desire to punish her) by searching for some extenuating factors relating to her misdeed, in order to prove that she was not entirely without virtue. This is a relatively modern idea, explored at great length in many works of literature and film that attempt to offer a nuanced portrayal of society's fringe elements, both villains and heroes. A typical example is Guy de Maupassant's story *Boule de Suif*, whose plot is essentially identical to that of Jesus' parable of the adulteress. Maupassant's story contraposes the virtuous behavior of a prostitute against the insensitive behavior of the supposedly moral elements of society. We might also have conjectured that Jesus' opposition to her being stoned was due to his ideological opposition to capital punishment. As is abundantly clear from his explanations, however, Jesus was not defending the adulteress: rather, he was pointing out that society had no moral right to stone her because both her accusers and society at large were sinful (a mode of reasoning that carries little weight in a modern legal approach).[120] We might benefit from looking to the New Testament, specifically its records of Jesus' parables and similar texts, as a guide for interpreting ancient

[120] A host of such misinterpretations could easily be offered for various other Jesus parables.

texts. Because Jesus clearly states the messages behind his parables, we are able to glean something about the general mode of thinking during his time, and thus avoid projecting modern methods of interpretation onto ancient texts.

Thus far, I have tried to point out and explain the various difficulties and potential risks associated with applying modern modes of thinking and interpretation to ancient writings. I am aware, of course, that my hypothesis is not immune to questioning on precisely this account, and that my own hypothesis can be chalked up to nothing more than the outcome of my modern perspective. While this is a legitimate challenge, I do rely on actual textual evidence (e.g., my evaluation of the editor's inclusion of the various segments of *1 Enoch* in one document and my scrutiny of contemporaneous Jewish writings of the relevant periods). Whatever one may speculate as to the original intent of the author of the BW, or the book's principal elements, such speculation is not relevant to the questions of whether an identifiable group created an "Enochic Judaism" and of what, in particular, constituted the group's essential theology. The intent of the editor of *1 Enoch* and his readers' perception of the work are the only valid basis for a plausible hypothesis on that community's theological doctrines.

To conclude this section, I will cite two additional Jesus parables that support my general thesis against imposing modern interpretations on the authors and readers of ancient texts. The Parable of New Wine in Old Wineskins tells us that "No one puts new wine into old wineskins, or else the new wine will burst the skins, and it will be spilled, and the skins will be destroyed. But new wine must be put into fresh wineskins, and both are preserved" (Luke 5:37–38); in the parable of New Cloth on an Old Garment we read, "No one puts a piece from a new garment on an old garment, or else he will tear the new, and also the piece from the new will not match the old" (Luke 5:36). I believe these are self-explanatory.

3.6. Suggested Interpretation of *1 Enoch* 10:7–8

Despite scholarly assertions to the contrary, *1 En.* 10:8 does not attribute the origins of evil to the Watchers, as I have argued above, and the verse must be interpreted differently.[121] The text of 10:4–8 is a good example of the sort of literary incongruence that is typical of this writing. In large

[121] We read there, "And over him [Asael] write all the sins."

part, the lemma seems to be referring to Asael and his particular misdeeds and punishments (10:4–6, 10:8), but in vv. 7–8 it is the Watchers, rather than Asael, who are accused of having desolated the earth. And yet, we read in v. 8, "All the earth was made desolate by the deeds of the teachings of Asael." It is not clear from this whose deeds caused the "desolation of the earth." Moreover, the accusations against Asael do not mitigate the guilt of mankind, as attested in 8:1b–2 and 9:1 (specifically the accusation that mankind "led the holy astray").[122] Indeed, according to the text man will also receive his just punishment. Furthermore, whereas the wrongdoings of the Watchers are expressed in active mode "[they] have desolated" (10:7), the deeds of Asael appear in passive mode: "the earth was made desolate by the deeds of the teaching of Asael" (10:8). Moreover, in the case of Asael, it was his teachings rather than his deeds that brought about the desolation of the earth; indeed, 8:1–2 relates that Asael taught men how to make swords and how to fashion decorative metals, although he did not instruct them on how to use these articles (the decision to use these materials for evil ends was humankind's alone).[123] Thus it seems that an active misdeed is more deserving of condemnation than teachings that lead indirectly to wrongdoing.[124] For this reason, humankind,

[122] We read there, "and they [the sons of man] transgressed and led the holy ones astray; and there was much godlessness on the earth, and they made their ways desolate."

[123] Devorah Dimant, "*1 Enoch* 6–11: A Fragment of a Parabiblical Work," *JJS* 53, 2 (2002): 223–237 at 232, commenting on Asael's teaching, asserts that "in this tradition, corruption on earth is the result of humans' misdeeds rather than the giants' voracity."

[124] According to rabbinic law, only the person who has performed the evil deed is liable for punishment, while the person who caused it is not liable for any punishment in a human court (it is assumed that God will punish him). We read in *m. B. Qam*. 6:4 that if a man sets fire (to his neighbor's field) through a mute, fool, or minor (persons legally deemed not responsible for their deeds), he is not liable to pay for the damages. If he sets the fire through a responsible messenger, then the messenger is liable for the damages (but the one who sent him is not liable). The same applies to someone who puts poisonous food before his neighbor's animals: that is, he is not liable for their death (*t. B. Qam*. 6:17). Even if one incited a poisonous serpent to bite another person, the former is not considered liable for punishment by a human court, because he did not actually commit murder but only indirectly caused the death (*m. San*. 9: 1). It is plausible that this legal principle, which distinguishes between directly and indirectly causing harm, was commonly accepted in Israelite society at the time, which would explain the statement in *1 En*. 8:1b–2 explicitly accusing the sons of man of actively performing evil deeds: "they made their ways desolate." Wright, *Origins*, 8, conjectures "that the author's purpose in using the Instruction motif was to connect the action of the *bene elohim* in Gen 6 with the judgment of the Flood, placing blame for the disaster on both the angels and humanity." In fact, the punishments decreed in Scripture refer always to deeds actively performed—for example, "anyone who strikes a man and kills him shall surely be put to death" (Exod 21:12) and similarly worded decrees. We encounter decrees relating to unintended killing,

rather than Asael, should be held responsible for introducing evil into the world. (This is true even if one does not take into account the sins of Adam and Cain).

In addition to the questions raised above about the apparent singling out of Asael, there is the question of why the sins are not attributed to Semihazah, the Watchers' chief and the organizer of the rebellion, since he was the incipient evildoer.[125] If one accepts the theory that this narrative was aimed at demonstrating the primeval source of evil, then one must wonder why the text does not level an explicit accusation against the primary instigator of the rebellion. In light of this glaring omission, I offer an alternative interpretation of these verses. According

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but nowhere is punishment indicated for instigating someone to murder another person or for conspiring to accomplish such a crime without actively committing or participating in it. Exceptions are the case of the blasphemer and curser (Lev 24:10–14) and that of the instigators to idolatry (Deut 13:6–11), who are executed for talking alone. Some rabbis attempt to perceive their moving the lips as accomplishing a deed (*b. Sanh*. 65a).

[125] See Reed, *Fallen Angels*, 97–98, and relevant notes. See also Hanson, "Rebellion," 220–226, on the different renderings of the name Asael and Azazel. Hanson, "Rebellion," 198–200, asserts that the rebellion of heavenly beings threatened to undermine the separation between the heavenly and earthly domains, thereby "threatening the created order," causing the "defilement of the created order" and the "collapse of the order of creation." At the same time, he perceives the rebellion as the central sin. Hanson's article refers to a "rebellion against the King of Heaven" and "an attack on the Divine King." He goes on to say that "a rebellious and unnatural act of rebellion against the Most High has pernicious and grotesque results" and that "the Most High's victory over the rebels restores his kingship and the result is the creation of order, harmony and fruitfulness" (he supports his statement at 201with evidence from *1 En*. 10:21: "All nations shall offer adoration and shall praise me," indicating that the rebellion and contempt for God was the Watchers' primary transgression). At 232, Hanson emphasizes the gravity and centrality of Semihazah's rebellion in the narrative and his culpability, and points to the narrative's "archaic pattern of the rebellion-in-heaven myth."

Ultimately, Hanson does not offer a clear, decisive opinion regarding the essential nature of the Watcher's primary sin. Moreover, his assertions at 200, regarding a supposed "victory of God over the rebels," and that "the punishment of the rebels is equivalent to a battle offensive initiated by the King of Heaven who is aided by his divine allies" (p. 200), imply a dualistic worldview on the part of the author of the BW, one in which the good God is engaged in a battle against Evil itself, the two representing equal but opposite forces. But the BW makes no reference to any such battle; in fact, the rebelling angels are not depicted as equal to God, and there is no battle of forces waged. Angels, as the BW attests, are not God's allies but His subordinates, and when the Watchers' rebel, he sends other angels to destroy them. Moreover, despite Hanson's assertion, there is no suggestion in *1 Enoch* that the Watchers' rebellion presented an affront to God's sovereignty. Hanson fails to take into account the Jewish notion of an omnipotent and all-knowing God, which invalidates any suggestion of a cosmic battle between equal forces. Carol Newsom, "The Development of *1 Enoch* 6–19: Cosmology and Judgment," *CBQ* 42 (1980): 310–329 at 313–314 and 319–321, discusses at length the relationship between the Semihazah

to my reading, verse 10:8 is actually an explanation for the Flood. The earlier sections of the narrative focus on the sins of the Watchers and human suffering at the hands of the *Nephilim* (the Watchers' offspring), but no attempt is made to justify the Flood and the ensuing destruction of life. Thus, Asael's guilt is recorded in passive mode (his teachings caused humans to sin), but humans are guilty of actively performing said sins, and the flood is their punishment.[126]

3.7. Scholarly Views against Imposing Modern Thought on Ancient Writers

To support my argument against imposing modern notions and ideas on the authors of ancient texts, I refer to several books that discuss various biblical writings (both OT and NT) and the ways in which these texts have been read and understood over the course of history. As I have already discussed Mazzinghi's interpretation of Qoheleth (Ecclesiastes), I will focus here on several issues raised by Eric Christianson in his book on Qoh.[127] Like Qoh, *1 Enoch* has been interpreted differently by Jews and Christians through history. Thus, Christianson's references to various scholarly conjectures as to the original author's intent can be useful in determining how best to approach the study of ancient writings.

For the purposes of establishing how the reception of Qoh changed over time, Christianson divides his study into three broadly defined periods: Pre-modern (0–1500 CE); Early Modern (1500–1800 CE); and Modern (1800 CE-present). In the Pre-modern period, a marked difference existed between Jewish and Christian readings of Qoh. While both groups attributed its authorship to Solomon, the two diverged in their

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and Asael traditions. Nickelsburg, "Apocalyptic and Myth," 403–404, similarly perceives that the Semihazah story attributes "the origin of violence to an angelic revolt" and "the nucleus of 1 Enoch 6–11 is a story about the revolt of the angel Semihazah and his hosts." Hence it is clear that Semihazah, and not Asael, should have been seen as the primary evildoer. He was the leader of the rebellion, and thus he is perceived as being like the one who transgresses the divine command with defiance, whose punishment is to be cut off from the people (Num 15:30).

[126] Regardless of how it is interpreted, *1 En*. 8:10 clearly raises the question of theodicy. If the author attributes all the sins to Asael and absolves humans of responsibility for their actions, then their punishment in the Flood seems unjustified. The issue of whether the instigator of an evil deed is as liable as the executor of said deed is a legal question, discussed above at p. 139, nn. 123–124.

[127] Christianson, *Ecclesiastes*.

interpretations of the text, particularly with respect to the issue of vanity. The traditional Christian reading saw this text as a refutation of worldly vanities, an approach not embraced by rabbinic Judaism. Christian scholars were driven by a "relentless tendency to relegate Qoheleth's reflections to the perceived truths of Christian liturgy and doctrine," while the rabbis focused their interpretations in support of pragmatic concerns.[128]

However, in the Pre-modern period the programmatic reading of Qoh began to refute the "vanity of the world" conception,[129] which was replaced in the Early Modern period by a humanistic, skeptical view of Qoh that corresponded more closely with the general attitude of the Renaissance and of Reformation thought.[130] Thus, Qoh came to be perceived as a universal masterpiece relevant to all of humankind. Indeed, Luther attacked the earlier monastic Christian approach to Qoh.[131] Thus we observe different, sometimes divergent, interpretations of Scripture throughout history. The difficulties we encounter in our attempts to understand ancient texts and to make deductions from these texts about the surrounding culture's organization and social structure are confirmed by S. Metso, who notes that this "remains a problem difficult to resolve neatly."[132] This is even more the case with respect to deducing a culture's philosophical purview from a text like *1 Enoch*.

3.8. Concluding Summary and Further Substantiation

Many scholars perceive the BW (and possibly the entire Book of Enoch) as a doctrinal philosophical or theological opus. From this perspective, the work is rife with conflicting messages and internal contradictions, particularly with respect to the evil instructions given by Asael to humans. The prominence of Asael's instructions has led scholars to deduce that the BW's main purpose is to reveal the source of evil, while the work's abundant contradictions have generated various, often far-fetched theories aimed at reconciling these inconsistencies.

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[128] *Ibid*., 25, 29.
[129] *Ibid*., 23–24.
[130] *Ibid*., 41.
[131] *Ibid*., 42.
[132] Sarianna Metso, "Whom Does the Term *Yahad* Identify?" *Biblical Traditions in Transmission: Essays in Honour of Michael A. Knibb* (ed. Charlotte Hempel and Judith M. Lieu; Leiden: Brill, 2008), 213–235 at 233.

According to an alternative opinion, however, the BW was written by multiple authors whose theological notions and beliefs differed from one another. Indeed, several scholars attribute the BW's authorship to at least three distinct individuals. Collins, for example, divides the text into several segments and asserts that its exhortation—the first five chapters, which delineate the book's purpose—"stands apart from the narrative, which begins in chap. 6."[133] According to this approach, the crux of the story of the Watchers' sins and punishment becomes an independent narrative. Lacking any context, the text is difficult to decipher. In particular, its meaning and/or underlying message cannot be ascertained, unless we understand the text as a *midrashic*-type *aggadah* that developed gradually and drew on a variety of sources, both internal and external.[134] According to my interpretation, the core of the narrative about the Watchers' descent and transgressions constitutes a *midrashic*-type *aggadah* composed for oral diffusion, rather than one composed to further a particular philosophical/theological worldview.[135] As far as I can tell, this

[133] Collins, "Apocalyptic," 95–96.

[134] See Philip S. Alexander, "The Targumim and Early Exegesis of 'Sons of God' in Genesis 6," *JJS* 23 (1972): 60–71 at 60. I disagree with Alexander's theory that the Watchers' narrative does not fit the conventional definition of *midrash* because it is not presented as deduced from the biblical text, like the rabbinic *midrash*. It is similar in its generative process, however, to *aggadic* narratives, which were later reworked by the rabbis on the basis of exegesis of scriptural texts. Thus, they became *midrashim*—that is, they were created by an interpretative method complementing a biblical verse or narrative. One can compare the Watchers' narrative, from this perspective, to *Genesis Apocryphon*, which shows numerous similarities to *aggadic midrash*. See George J. Brooke, "The Formation and Renewal of Scriptural Tradition," *Biblical Traditions in Transmission* (ed. Charlotte Hempel and Judith M. Lieu; Leiden: Brill, 2006), 39–59 at 48, on the accretion process of the text of *1 Enoch*; on this issue see also Hanson, "Rebellion," 196. On speculations of a Hellenistic source for chs. 6–11, see p. 126, n. 81.

[135] Reed, *Fallen Angels*, 116–119, offers an example of the problematic consequences of attributing influence to the BW with respect to theodicy, the question of the source of evil, and the supposed creation of an Enochic Judaism. Reed alleges that the translation, in some LXX MSS, of the idiosyncratic expression בני אלהים (in the MT) as "angels of God" rather than "sons of God" may be the result of a BW influence. This would imply that the BW narrative influenced Jewish thinkers of the period and induced them to change the text of the LXX. In making this assertion, however, Reed overlooks the fact that the editors of the LXX made numerous adjustments to the original Hebrew text, particularly when they considered particular terms and expressions to be aberrations from conventional Jewish doctrines or grammatically or stylistically incorrect. *B Meg.* 9a enumerates multiple biblical phrases that seem problematic and that were corrected accordingly by the legendary seventy-two Jewish Sages who translated the Bible into Greek (supposedly according to divine inspiration). Some of these corrections appear in contemporary editions of the LXX, but others may have corresponded to MSS that have not survived. For examples, the MT records "In the seventh day God had finished

narrative nowhere alludes to any schism between two groups of priests, regarding theological or political controversies. I also do not see the text as covert criticism of prohibited intermarriages among Jerusalemite priests.[136] Rather, it appears to me that this work was generated in order to resolve ambiguous scriptural dicta, to elaborate on vague scriptural narratives, and to portray concise scriptural narratives more vividly for their listeners.

We encounter among the Dead Sea Scrolls, for example, many extra-biblical details relating to (a) Noah's feast, during which he became drunk (1QapGen ar XII:13–17), and (b) the story of the angel Mastemah, who provoked God to test Abraham (4Q225 (4QpsJub-a) 2i:9–10). Such *midrashic*-type narratives, especially the more complex among them, were conceived by creative authors[137] and were collected and put into writing at a later stage.[138] I suggest that the above stories were not unique but represented a rather common phenomenon whereby narratives directly or indirectly linked to biblical texts circulated for a time prior to publication. No surviving collection includes the entire range of narratives, however, whether because some were lost before the collections were compiled or because the redactors chose to record only

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the work" (Gen 2:2); this contradicts Gen 1:3, which states that God finished His work on the sixth day. The LXX changed this to τῇ ἡμήρα τῇ ἕκτῃ "on the sixth day." The LXX made a similarly significant alteration to the biblical verse that indicates that that the children of Israel lived in Egypt four hundred and thirty years (Exod 12:40). Since the number given is obviously incorrect, the LXX added the words "and in Canaan," to indicate that the number of years includes the Israelites' sojourns both in Egypt and in Canaan. See John Williams Wevers, *Bible: Genesis Greek* (Göttingen: Vandenhoeck & Ruprecht, 1974); *Bible: Exodus Greek* (Göttingen: Vandenhoeck & Ruprecht, 1991); *Notes on the Greek Text of Genesis* (Atlanta: Scholars Press. 1993); *Notes on the Greek Text of Exodus* (Atlanta: Scholars Press, 1990), at the relevant verses, and Philo, *De Vita Mosis* II:25–40. Similarly, other adjustments, whether of a grammatical or a philosophical kind, abound in the LXX (as is well known). The variation in some MSS of the term "sons of God" is the result of a doctrinal approach and does not prove the influence of the BW.

[136] Macaskill, "Priestly Purity," 68, examines two contingencies advanced by Boccaccini and Suter: opposition to the intellectual and religious dominance of the Zadokites, and opposition to the particular issue of priestly genealogical purity and possible ramifications thereof.

[137] Wright, *Origins*, 6, writes that "*1 Enoch* 1–36 is made up of complex layers of traditions that, in general, find their origins in Gen 6."

[138] Reed, *Fallen Angels*, 9–10, writes about the oral myths that shaped the BW. Sidnie White Crawford, *Rewriting Scripture in Second Temple Times* (Grand Rapids, MI: Eerdmans, 2008), 141–142, writes that the redactor/composer of the 4QCommentary on Genesis A "combined different sources to create a document concerned with the interpretation of Genesis from a sectarian point of view," but also used "earlier nonsectarian sources," including those "that used different exegetical techniques."

selected stories.[139] My evidence for this conjecture is based on various narratives of a similar nature that do not appear in Qumran and rabbinic literature.[140] We must assume that these narratives were collected from written and/or oral transmissions circulating at the time. In fact, the oldest part of *1 Enoch*, chapters 6–11, which relates the story of the Watchers, contains no criticism directed at the people of that period; rather, it develops and expands on the narrative of the Flood (which, it concludes, constituted an utter removal of sin from the world—what Francis Fukuyama has termed "the end of history").

For our purposes, whether or not some of the narrative's details were in circulation in Israel before the compilation of the Book of Genesis, as J.T. Milik suggests, is of little consequence.[141] I am inclined to assume that the story of the Watchers was familiar to the Israelites, in some form, prior to the compilation of Genesis.[142] For example, we encounter a different version of the Fallen Angels in a rabbinic narrative, in *Deut. Rab. parsha* 11, cited incidentally in connection with a narrative about the death of Moses: "Said Moses' soul [which did not want to leave his body], 'Master of the world, two angels, Aza and Azael, went down from your dwelling in heaven and lusted after earthly women and corrupted their way on earth until you hanged them between heaven and earth.'" We do not know when this version of the Watchers' story was composed,

[139] We cannot exclude the possibility that the Sages or the redactors of the rabbinic homilies deliberately avoided including Qumran *midrashim* in their collections as an act of public protest against Qumran's halakhic rulings. A similar approach was taken with respect to the disputes with the Sadducees and Boethusians. See *m. Para* 3:7, *m. Menahoth* 10:3, *b. Hagiga* 23a, *b. Yoma* 53a, and *b. Makkoth* 5b, all of which refer to significant halakhot. On the other hand, it seems to me unlikely that the rabbis would have made a point of publicly rejecting *midrashim* solely because they were collected and disseminated by a dissident group. Moreover, 4Q252 II:6–7 cites an identical *midrash* on Gen 9:24–25 that appears in *Gen. Rab. parsha* 36; the two sources offer the same resolution. It is unclear whether this writing originated with the sectarian group (Bernstein, "4Q252 Rewritten," 24, states, "it is not sectarian/eschatological pesher exegesis, with the exception of some of the remains of column V") or was merely collected by the group. Regardless, the same applies to many other Qumran writings.

[140] Published by Eusebius in his *Preparatio Evangelica*, and more recently in Holladay, *Fragments*, vol. 1.

[141] J.T. Milik, ed., with Matthew Black, *The Books of Enoch*: *Aramaic Fragments of Qumran Cave 4* (Oxford: Clarendon Press, 1976), 31, writes that the text of Gen 6 "deliberately refers back to our Enochic document."

[142] Falk, *Parabiblical Texts*, writes, "working the tradition and extending the Scriptures did not start 'after the fact,' that is, after there was a 'Bible.' Rather, it seems that the impetus to clarify, harmonize and update is part of the very development of what came to be scripture."

but it demonstates that various versions of it circulated in Israelite society until one compiler chose a version—the one he liked best or the one he had before him—and put it in writing, thus creating a final version, which was then incorporated in a larger version. The reality of the *midrashic* creation process demonstrates the futility of attempting to presume the transmission of theological/philosophical ideologies as the authors' intent.

The biblical text of Gen 6:1–4 is exceptionally vague, which suggests that there may have been particular cause for concern as to how readers might apprehend the fuller version of the story.[143] The redactors of Scripture therefore edited the text accordingly, deleting ideas that conflicted with normative Jewish doctrines. As scholars have observed, Gen 6:1–4 is a difficult passage that prompted explanations on the part of "moralizing storytellers," who attempted to clarify the text, and at the same time justify the destruction of the entire world, by asserting that all humans had turned to sin.[144] There is no explicit connection in Scripture between the deeds of the *bene elohim*, or the Giants, and the Flood, nor is there indication of how humans devolved to extreme wickedness, so that "every inclination of the thoughts of his heart was only evil all the time" (Gen 6:5). However, the explanation offered by the BW is also rather incomplete, and does not explicitly state that the flood was caused by human behavior.[145]

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[143] Andreas Bedenbender, "Traces of Enochic Judaism within the Hebrew Bible," *Henoch* 24 (2002): 39–48 at 46, writes, "1 Enoch 6–11 is most easily understood as an adaptation of an old tradition which is also reflected in Gen 6:1–4." At the same time, he writes that Gen 6:1–4 "do not presuppose *necessarily* the existence of BW." Hanson, "Rebellion," 203, writes that Gen 6:1–4 has absorbed a "mythic pattern of thought," but modified it "almost beyond recognition in the service of a new theologoumenon." Hanson's assertion supports my theory on the matter.

[144] Davies, "And Enoch Was Not," 98–99, demonstrates that Gen 6:1–4 is ambiguous and inconsistent with comparable records in the Bible. Davies points out that the irregularity of this text was previously noted by Gerhard von Rad, *Old Testament Theology*, vol. 2 (trans. D.M.G. Stalker; New York: Harper & Row, 1965), and suggests that the text of Gen 6:1–4 probably consists of two separate but interwoven stories. Stuckenbruck, "Genesis 6:1–4," 99, writes, "Thus the function of the passage in its literary setting has posed somewhat of an enigma for interpreters, no less during the Second Temple Period than for students of the text today." Wright, *Origins*, 3, writes that Gen 6:1–4 presents the modern interpretor with considerable difficulty, similar to that encountered by "scripture exegetes and commentators in the post-biblical and later rabbinic periods."

[145] See above pp. 138–141 on the inconsistencies in the text with respect to the issue of responsibility, lawlessness, and wickedness under heading 1.6.1, "Suggested Interpretation of 1 *Enoch* 10:7–8."

Asael's second teaching (8: 1) that corrupted the angels (regarding the creation of

The preachers or "moralizing storytellers" sought to establish a connection between the Watchers and the Giants (which is not evident from the passage in Genesis), and to explain the sudden proliferation of evil that caused the Flood.[146] Some chose to emphasize the rebellion of Semihazah, the actions of their descendants, the Giants, and the subsequent embroilment of humans as the cause for the divine retribution, while others focused on Asael's instructions as the primary evil.[147] The compiler of the BW did not perceive any contradiction in the Watchers' various misdeeds; rather, he saw them as complementary and as elucidating the vague biblical lemma.[148] To create a hermeneutic narrative that would complement Gen 6:1–4, he amalgamated some of the different traditions in circulation.[149] His practice is comparable to the method used in the

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women's ornaments), seems to be perceived as a secondary evil. However, the assertion "the whole earth is filled with iniquity" in 9: 8 seems to relate to the Giants, not to humans. At any rate, ascribing all sins to Asael (10: 8b), implicitly suggests that although men sinned, they are not at fault because Asael incited them to sin. Hence, "all the sons of men may not perish." See p. 141, n. 126, regarding the problem of why humans were punished.

[146] I disagree with Hanson's statement ("Rebellion," 201) that "the sum total of evil in this world is derived from the gigantic offspring generated by the heavenly rebels." Their appearance explains only the sudden proliferation of evil, not its origins.

[147] Wright, *Origins*, 7, writes that scholars of the BW have identified at least two traditions: one that blamed Semihazah for the rebellion and a second that blamed Asael for wicked instruction. The author of the *Testament of Reuben*, for example, emphasizes the Watchers' sin of yielding to the women's seduction (and their lecherous adornments). See Reed, *Fallen Angels*, 112.

[148] The Pentateuch is the result of the amalgamation of different traditions (hence the often noticeable inconsistencies). However, ancient readers believed that the entire Pentateuch was written by Moses as dictated to him by God. *B.B. Bat*. 14b records that Moses wrote his book, apart from the eight last verses of Deut 34:5–12, which were written by Joshua. Thus, what modern readers perceive as internal inconsistencies and contradictions were seen by them as complementary layers of a complex and multifaceted narrative. Dimant, "*1 Enoch* 6–11," 225, 234, analyzes the literary style of these chapters and points to a clear affinity with the relevant biblical text. She notes "the clear interpretative character of *1 Enoch* 6–11, in relation to its biblical model in Gen 6:1–4," and writes that "the narrative framework, circumstances, and subject matter [of chs. 6–11] are established from a specific biblical passage." According to my hypothesis on the creation of *midrash*, it is possible that some narratives similar to those recorded in these chapters were already in circulation before the editing of Gen 6:1–4 (p. 145 and n. 142). The final version of the BW was indeed edited after the publication of Gen.

[149] Collins, "Apocalyptic," 97, writes that the story of the Watchers "is complicated by the interweaving of distinct traditions." Collins, *Apocalyptic Imagination*, 27, 33, discusses the plausibility of the idea that the "codes and raw materials" of some elements of Apocalypses were of Babylonian origin while others were of Judean origin. However, he cautions against perceiving this as a "simple borrowing" from other cultures, since these materials were reworked and adapted by the Jewish authors in order to meet

compilation of scriptural narratives.[150] This amalgamation also served as a sermonizing opus meant to inspire faith in an imminent eschatological era that would bring with it the cessation of evil and punishment for the wicked as well as reward for the righteous.[151]

The fact that the BW, *1 Enoch*, and the *Book of Giants* were all written in Aramaic[152] (like the *midrashic* type 1Q20 [apGen ar] and visionary

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"the needs of Jewish monotheism." His reflection supports my theory on the myriad imaginative ideas that were compiled in the final versions of *midrashic* and apocalyptic narratives. On the relationship between the different chapters of the BW see Newsom, "Development." Further to the different traditions discussed above, we observe that the Similitudes mentions additional wicked instructions given to humans by different angels (69:12, 14–16).

[150] For example, scholars resolve the contradictions between the two creation narratives (Gen 1:27 and 2:20–21), by pointing to an amalgamation of two distinct traditions. Similarly, the editor/author of *1 Enoch* may have expanded the relevant prophetic eschatological visions of Isaiah and Ezekiel, similar to the predicants/scribes, who created the *midrashim* on other scriptural narratives. These prophecies and their doctrine of an eschatological future were diffused in Jewish circles before the publication of Enoch's writings, and continued thereafter. They constituted the foundation of the much discussed and elaborated upon messianic hope in Israel. The different versions of the circumstances of Moses' upbringing at Pharaoh's court, his escape from Egypt, his bravery, his marriage with Zipporah, and the identity of his father-in-law in biblical, historical, and rabbinic literature are pertinent for comparison to the BW with respect to the perceived creation process of such narratives. I intend to develop this argument in a separate study. Michael E. Stone, "The Book of Enoch and Judaism in the Third Century BCE," *CBQ* 40 (1978): 479–492 at 489, asserts that although "the speculative element is alien to biblical literature," some Jewish thinkers did speculate on the issues presented in the early parts of *1 Enoch*. However, he does not take a firm position on whether or not they constituted a distinct group in Jewish society.

[151] Cf. Newsom, "Development," 316, who asserts that the eschatological order and the final destruction of the evil spirit, proclaimed in 16:1, are not referred to as imminent occurences. Instead, the verse is meant as assurance that the said period will eventually arrive, an assurance that is of "crucial importance to those who must continue the live in the world." One might compare this eschatological expectancy to that found in Qumran literature, which refers to an imminent eschaton. In addition, it is worth noting Lars Hartman's assertion that "consolation and exhortation are typical illocutions of apocalypses" (see p. 126, n. 83). A promise for the distant future, not immediately relevant to the addressees, is scant consolation for a suffering society. Collins, "Apocalyptic," 107, in discussing the purpose of the BW, writes that "[t]he emotion aroused by Enoch's journey is not so much fear as awe—including a strong component of fear but also of hope and reassurance." Nickelsburg, "Apocalyptic and Myth," 404, writes that the author saw in Gen 6 "a model for the hope that God would judge the oppressors, deliver his people," and alleviate the afflictions of the time. I agree with this part of his exposition, but not with his assumption that the evil circumstances "raised the problem of theodicy." In fact, the author explains in no uncertain terms that the punishment is a direct consequence of man's sins.

[152] The only exception may be 1Q19 (Noah), which was written in Hebrew. However, as Milik points out, this writing consists of a fragment of the Book of Noah, whose text,

writings 4Q529–4Q575 in the Qumran Library), rather than in Hebrew (the language of all the doctrinal and halakhic writings in the library), supports my argument that these texts were never intended as philosophical treatises. *1 Enoch* was a text suitable for sermons addressed to the Aramaic-speaking masses, whose knowledge of Hebrew was inadequate.[153] This also explains why such a vast number of copies were found in Qumran. For a great number of preachers to preach to the masses would have required many copies of this text.[154]

The assumption that the Aramaic writings found in the Qumran Library were not considered essential and compelling for the group is confirmed by the Aramaic text of 4Q543 (Visions of Amram[a] ar).[155] We read in frg. 1:5–7 that Amram gave his daughter in marriage to his brother Uzziel—a union (between uncle and niece) that is prohibited

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provenance, and, most importantly, purpose and function are enigmatic; this singular exception, therefore, does not undermine the claim that such apocalyptic and outlandish *midrashic* literature found in the Qumran Library appears solely in Aramaic. We can observe this from a comparison of 1QapGen[ar], written in Aramaic, and the Apocryphon of Moses, written in Hebrew. The latter, in contrast the first, has no exotic and enigmatic additions; in fact, it contains no additional details absent from the biblical text. Rather, it renders the original biblical texts in a different sequence, and at times in a similar but different literary style. This is not incidental, but must have some compelling explanation. Dimant, "*1 Enoch* 6–11," 236, speculates, on the basis of the accumulation of Hebrew and conceptual terms, that "the underlying source [of *1 En.* 6–11] was a Hebrew parabiblical text." Certainly, some of the traditions incorporated in the final version of the BW were initially composed in Hebrew, but the presence of Hebrew terms (specifically those associated with religious issues) in the vernacular Aramaic does not attest to the existence of a Hebrew version of the written text. Such language infiltration is quite typical, as in the case of the Yiddish vernacular, which incorporates various Hebrew phrases. A few examples: The term חרם is used in Yiddish to refer to excommunication; the standard Yiddish get-well wish is "have a רפואה שלמה," in which the first two words are in Yiddish while the core of the wish is in Hebrew; a transgression of a religious precept is referred to as "an עבירה"; a ממזר is an epithet used to describe one who is cunning; a person with angelic qualities is referred to as a מלאך. In these and similar instances, Yiddish speakers use the Hebrew expression rather than a term of Germanic origin. Similar uses of Hebrew occur in Jewish Arabic dialects, and there is good reason to assume that the same was true when Jews spoke Aramaic.

[153] It is remarkable that the Church Father Athanasius of Alexandria (c. 293–373 CE) complained in his *Epistulae festalis* 39 "about the popularity of Enochic books amongst 'simple' Egyptians" (quoted in Reed, *Fallen Angels*, 229).

[154] I disagree with Nickelsburg's assertion in "The Book of Enoch at Qumran: What We Know and What We Think About," in *Antikes Judentum und frühes Christentum* (BZNW; Berlin: de Gruyter, 1999), 99–113 at 106, that the number of copies of a work indicates its spiritual significance to the Qumran group. See my extended deliberation on this issue in ch. 4, pp. 180–181, n. 69.

[155] On the significance of the Aramaic writings in Qumran see pp. 180–181, n. 69.

according to Qumran law. The fact that this marriage took place before the giving of the Torah does not invalidate the theory that this writing was not considered critical to Qumran's ideological and halakhic stance. According to *Jubilees*, cherished in Qumran, the Patriarchs accomplished the Torah precepts, and Amram would have been assumed to have acted similarly.

It is clear that the editor and compiler of *1 Enoch* used the BW as supposedly "authentic" evidence of the severe punishment inflicted on the sinners.[156] The author of *Jubilees* (chs. 4 and 5) perceived the BW similarly, and Qumran (4Q266 (4QD-a) 2ii:17–21) used the text as support for its didactic pronouncements. Furthermore, Sir 16:7 cites the sin of leaders of the rebellion without mentioning their names, although he must have been familiar with the BW narrative, since the punishment is not mentioned in Scripture.[157] A similar attitude appears in Jude 14–16, which refers to the narrative of Enoch for hortatory purposes but does not indicate the precise nature of the sins. The details of the Watchers' wrongdoings were not specified because they were irrelevant to the particular objectives of the various authors who cite this narrative. More importantly, these details were also irrelevant to the editor of *1 Enoch*, which explains why he was not bothered by the contradictions and inconsistencies in the text (e.g., the names of the Watchers and their particular misdeeds, mentioned in 6:1–8, 8:1–3, and 69:2–12).[158]

Martha Himmelfarb and Annette Yoshiko Reed draw attention to the apparent inconsistencies arising from the fact that, on the one hand, Enoch exhorts the people "to observe and consider the works of heaven," which are meant to serve as a model for ethical steadfastness (2:3–5:9), while, on the other hand, he criticizes the Watchers for divulging cosmo-

[156] See p. 129 and n. 95. Collins, "Apocalyptic," 103, writes, "The punishment of the Watchers is paradigmatic for human sinners" (hence, the function of the BW is hortatory).

[157] Philo—who "perhaps knew of at least part of the Fallen Angel tradition," as suggested by Wright, *Origins*, 206—does not see this as an elaboration on the Giants tradition. Instead, he perceives the narrative in *De Gigantibus* 58 as a description of the struggles of the human soul. Thus, despite the disparate opinions of various scholars of the period, none deduced the source of evil as the motif of the BW narrative.

[158] Collins, "Apocalyptic," 97, writes, "The fact that these distinct traditions are allowed to stand in a certain degree of tension is already significant for our understanding of the function of the book." I, too, believe that the purpose of a given text is reflected in its literary style.

logical wisdom (6–11).[159] The contradiction is even more striking if we consider Enoch's revelation of the heavenly movements in the Astronomical Book.[160] However, the fact that the author was not concerned with any potential philosophical fallout of this narrative essentially means that there is no real contradiction between the BW and 98:4 with respect to the source of evil, and no substantive conflict between the theological purview of the authors/readers of the third century BCE and that of the second century BCE and later Jewish writings.

In light of the above, I find no compelling reason to believe that there ever existed a distinct Enochic group, nor that the publication of the BW and *1 Enoch* led to a schism within the Jewish community. Moreover, the "independent" elements of *1 Enoch* were integrated into one book, whose general motif points out that the punishment of the Watchers is paradigmatic for human sinners.[161]

Thus, it seems clear that the editor compiled this book in order to assist him in his appeal to the Israelites to mend their ways, and that it does not include any doctrines that would have led to a schism between Qumran and the bulk of Israelite society. The vivid descriptions of the retribution that would be visited upon the wicked and the reward that would be granted to the righteous gave legitimacy to his appeal. I see no grounds, therefore, for the myriad scholarly theories on the purpose of the BW. As I have demonstrated above, the authors/redactors of *1 Enoch* did not

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[159] Martha Himmelfarb, *Ascent to Heaven in Jewish and Christian Apocalypses* (New York: Oxford University Press, 1993) 77; Reed, *Fallen Angels*, 41–42.

[160] The question of whether the BW was considered "authoritative," as suggested by James C. VanderKam, *From Revelation to Canon: Studies in Hebrew Bible and Second Temple Literature* (Leiden: Brill, 2000), 177, seems to me inappropriate. The work does not contain any halakhot or other essential elements, and it is entirely compatible with Scripture; thus, there is no room for the assertion that the work is in any way "authoritative." *Jubilees*, in contrast, includes many halakhot that differ from rabbinic and (presumably) pharisaic rulings, and the question of whether the work was considered "authoritative" is quite relevant. In fact, Collins, *Apocalyptic Imagination*, 72, writes that neither the BW nor the Astronomical Book "attest[s] a particular group identity in its terminology."

[161] See p. 150, n. 156, for Collins' quotation confirming this statement. As I see it, the various elements of *1 Enoch* may have been composed by a number of primary authors before the entire work was compiled. Even if Qumran's version was not yet integrated into one book, its citation of CD II:17–18 from the BW for a comparison to human misbehavior demonstrates their understanding of the writing's purpose. Dimant, "*1 Enoch* 6–11," 224, suggests that chs. 6–11 constituted an independent unit that was inserted into the Enochic BW, which supports my theory (see p. 104) that the Watchers' narrative is a *midrashic*-type oeuvre, similar to 1Q20 (apGen ar).

see these texts as explaining the origins of evil. Certainly, then, the work's readership—the alleged Enochians and the bulk of Israelite society at the time—would not have read this text as a treatise on evil and its origins.

3.9. The Watchers' Sin: Deviation from Cosmic Order?

3.9.1. *Interpretation of* 1 En. *15:3–9: Accusations against the Watchers*

I find no evidence in these verses for the theory that the Watchers' sin involved tampering with the divine cosmic order and causing a rift between the heavenly and earthly realms. Boccaccini writes that Gen 1–11 warns that any "attempt to cross the boundary between humanity and the divine always results in disaster."[162] There is no textual support for this theory, however; indeed, it is quite clear that Adam, Eve, and the serpent were punished for disobeying an explicit divine command. Similarly, Cain's sin is murder—not an abstract blurring of boundaries. The Tower of Babel narrative also has (at least on a surface level) a clear aetiological purpose, that is, to explain the transition from one universal language to myriad languages. Scripture explicitly attributes the Flood to man's wickedness (Gen 6:5–7 and, particularly, 7:13). The Watchers and their descendants, the subjects of this speculation about the sin of blurring or violating the divisions between heaven and earth, are not mentioned as the cause of the divine decision to bring about the Flood.

Boccaccini goes on to construe an additional schism between the human realm, that is, earth, and the heavenly realm, or the Temple. Indeed, Scripture and rabbinic literature refer to a series of concentric circles of increasing degrees of holiness that surround the Temple, but there is no mention of any schism between man and God. Instead, we read in Exod 29:45–46, "Then I will dwell among the Israelites and be their God. They will know that I am the Lord their God, who brought them out of Egypt so that I might dwell among them." Similarly, in Lev 26:11–12 we read, "I will put my dwelling place among you, and I will not abhor you. I will walk among you and be your God, and you will be my people." Num 35:34 goes a step further, declaring the divine presence among the Israelites in their entire land: "Do not defile the land where

[162] Gabriele Boccaccini, "Qumran and the Enoch Groups: Revisiting the Enochic-Essene Hypothesis," in *The Bible and the Dead Sea Scrolls* (ed. James H. Charlesworth; Waco, TX: Baylor University Press, 2006), 37–66 at 41.

you live and where I dwell, for I, the Lord, dwell among the Israelites." Deut 16:16 portrays the Israelites approaching God: "Three times a year all your men must appear before the Lord your God at the place he will choose." These verses all serve to demonstrate the close bond uniting God and humankind.[163]

Tigchelaar writes that "the basic accusation is that the Watchers have disregarded their natural order and place," and that "the issue is not illegitimate marriage as opposed to legitimate ones, but marriage as opposed to non-marriage. Or, more abstract, the respect or transgression of natural boundaries." However, he also points to the concrete sin of forbidden marriage and to an abstract violation of divinely designated boundaries and suggests that the key to understanding this text is the question, "why have you left the high, holy and eternal heaven . . .?"[164] This statement implies that the Watchers' sin did not involve deviating from a supposed "natural order" of the world (a concept I believe would have been unfamiliar to the Jewish mindset of the time) but, rather, consisted of the very act of "forsaking heaven" through violation of a divine command. This understanding of the specific nature of the Watchers' sin is supported by the text and is in agreement with scriptural considerations, as substantiated below. The text of the BW enumerates a great variety of misdeeds, but there is no evidence of a "cosmic" violation. The Watchers' intercourse with earthly women is considered a sin whose natural consequence, as it were, is that the Watchers are defiled.[165] That they are banished from heaven is a consequence of said sin and defilement.[166] In 7:1, 9:8, 12:4, and 15:3, the type of defilement is not indicated, but vv. 10:11 and 15:4 do offer some explanation. Verse 10:11 refers to "uncleanness" and 15:4 to the specific nature of the defilement: "with the blood of women you have defiled yourselves."

I find it surprising that the author of *Jub.* could have believed, as alleged, that the defilement of the Watchers would have motivated Enoch's accusations against them.[167] I would hypothesize that the original

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[163] It should be noted that this unity is not absolute, as explained on p. 121, n. 67.

[164] Tigchelaar, "Some Remarks," 143–144.

[165] "Defile" is the term used in Nickelsburg's and VanderKam's translation from the Ethiopian. We do not posess an original Aramaic text with this term.

[166] Cf. Newsom, "Development," 315, who deduces that the Watchers' sin consists of violating the border that separates heaven from earth.

[167] We read in *Jub.* 4:22–23, "And he testified to the Watchers, who had sinned with the daughters of men; for these had begun to unite themselves, so as to be defiled, with the daughters of men, and Enoch testified against (them) all." *Jub.* 20:5 is even more

text of Enoch used (in the instances cited above) the Hebrew/Aramaic term חלל, as translated by Onkelos.[168] This is a generic scriptural term that, in addition to referring to defilement resulting from various sexual violations, indicates defilement through other, unrelated types of misdeeds.[169] Verses 15:3–9 may be interpreted as a criticism of mixing spirit and flesh, but not of disturbing a divinely endowed division between heaven and earth. In sum, the text enumerates many misdeeds, implying that the mixing of flesh and spirit is merely one of many sins rather than the overarching transgression.

The list of the Watchers' misdeeds included in God's indictment, as transmitted by Enoch's intermediary, opens as follows: "Why have you forsaken the high heaven, the eternal sanctuary …?" (15:3). This accusation brings to mind the Hebrew term עזב "forsake," which is often used in rebukes that accuse Israel of abandoning God.[170] The fact that this generic denunciation is cited in the introductory phase of the "arraignment," so to speak, before any of the specific sins are listed, suggests that this is the primary transgression. In verse 4, the Watchers are accused of defiling themselves with the blood of women, and the law prohibiting them from marrying earthly women is then explained. From a careful reading of the text, it is evident that the author considers all intercourse with women a sinful deed (a common perception at the time), instituted for the sole purpose of ensuring the subsistence

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specific about the Watchers' sins and the reason for their punishment: "And he told them of the judgment of the giants, and the judgment of the Sodomites, how they had been judged on account of their wickedness, and had died on account of their fornication, and uncleanness, and mutual corruption through fornication." He testified against humans for "all the wickedness of the children of men" (*Jub.* 24–25).

[168] See his translation of Lev 21:15.

[169] For example, the term חלל is used in its various grammatical modes to portray the desecration of the Sabbath by those who work on the day of rest (Exod 31:14), and of the altar through the use of hewn stones in its construction by setting upon them metal cutting tools similar to swords (Exod 20:22; 20:25 in KJV); the profanation of God's name by a false oath (Lev 19:12); the prohibited contamination of a priest by a corpse (Lev 21:4); and similar desecrations or profanations. In these occurrences, Onkelos translates the Hebrew חלל with the identical term. In contrast, he translates the Hebrew term חלל referring to a slain person in Deut 21:1 as קטילא "a killed person." See also p. 134, nn. 112–113.

[170] We read, for example, in Deut 29:24: "because they have forsaken the covenant of the Lord." I imagine that the Aramaic term used here was שבק, the equivalent of the Hebrew עזב, as translated in the above verse by Onkelos. Jer 2:13 emphasizes God's ire at those who offend Him by forsaking Him for a good-for-nothing god: "They have forsaken me, the spring of living water, and have dug their own cisterns, broken cisterns that cannot hold water."

of humankind.[171] The heavenly, eternal beings have no need of sexual intercourse, and are therefore prohibited from engaging in it. Verse 9 identifies the consequences of these forbidden unions: the creation of evil spirits. In the redactor's epilogue (106:13–14), the Watchers are accused of violating the word of the Lord, of continuous sinning, and of "transgressing the custom" by mingling and cohabiting with earthly women.[172] However, there is no hint of any misdeed associated with disturbing the division between heaven and earth.[173] Moreover, other writings from the same period nowhere refer to such a disturbance of a divine "cosmic" order.

Regarding the Watchers' sins, it is written in CD II:17–18, "even strong and doughty men of old faltered through them, and still do. When they went about in their willful heart, the Guardian Angels of Heaven fell and were ensnared by it, for they did not observe the commandments of God." The exhortations that come before and after this verse (CD-A II:16–III:3) describe the Watchers' various misdeeds: "sinful urge and lecherous eyes, following their willful heart and disregard of divine commandments." These verses clearly discredit any allegation that the Watchers are accused of deviating from the cosmic order. It is worth noting that the biblical Abraham is described in precisely the opposite manner: "he observed the commandments of God and he did not choose to follow the will of his own spirit" (4Q266 (D^a) 2ii:21–22). In *Jub.* 4, the Watchers are accused of having "sinned with the daughters of men" and of having intentionally come together "so as to be defiled, with the daughters of men." The sins are elaborated upon in vv. 7:21–22, which accuse the Watchers "of fornication wherein the Watchers against the law of their ordinances

[171] Gen 1:28 records that immediately following the verse which states that God created man and woman, it is written that he blessed them together and commanded them to multiply. This suggests that his motive for creating a male and female was propagation, not pleasure. Hence, we encounter the Qumranic prohibition against sexual intercourse during pregnancy. See 4Q270 (D^e) 2ii:15–16 and 7i:12–13. 4Q520 praises the holiness of sexual intercourse for procreation, which is underscored by Josephus in *Wars* II:161, where he writes, "They [the Essenes who marry] have no intercourse with them during pregnancy, thus showing that their motive in marrying is not self-indulgence but procreation." In *Wars* II:120 he describes the Essenes' virtues: "They shun pleasures as a vice and regard temperance and the control of passions as a special virtue. Marriage they disdain."

[172] The textual evidence is confusing at this juncture.

[173] The phrase "transgressing the custom" is unclear. Even if it does relate to the intermingling of spirit and flesh, however, the fact that it is referred to as mere custom implies that it could not have been the overarching sin.

went a-whoring after the daughters of men, and took themselves wives of all which they chose: and they made the beginning of uncleanness."[174]

Before concluding my arguments on this issue, I would like to deliberate in some depth on Nickelsburg's attempt to support his thesis that the disturbance of the cosmic order was the core of the Watchers' sin.[175] Although he is less assertive than others, and uses with caution the expression "a sense of cosmic order," he goes out of his way to substantiate it. The obedience of heaven, earth, and seasons, all of which work with complete regularity, as opposed to man's disobedience (*1 En.* 2:1–5:3), is perceived by Nickelsburg as "turning aside from God's order" (5:4), and hence a disturbance of the cosmic order. It is extremely odd that in his translation of *1 Enoch* he translates the above verse as "But you have not stood firm, not acted according to his commandments, but you have turned aside, you have spoken proud and hard words with your unclean mouth." The term "commandments" and the subsequent wicked deeds are changed into "order" to meet the requirement for presenting it as a disturbance of the cosmic order. It is evident that the comparison with the ways of nature does not emphasize its elements' adherence to the cosmic order but, rather, how they "carry out their works for him [God]" and "they all carry out his word" (5:2)—that is, they obey God's commands, in contrast to humans, who disobey them (5:4).

We then encounter a similar endeavour by Nickelsburg to portray the Watchers' sin in *1 En.* 15:1–6 and 106:13–14 as "a perversion of God's created order."[176] Verses 15:1–6 contain a list of transgressions of which the first, which is usually the most important (and in this case the most severe as well), is the generic, all-encompassing "forsaking of the high heaven," followed by a detailed list: they had lain with women, thus defiling themselves; they acted like the sons of earth, and fathered giants as children; they defiled their holy status with the blood of women, and lusted after the blood of men. The list concludes by returning to

[174] Dimant, "*1 Enoch* 6–11," 230–231, in her analysis of the structure and technique of *1 En.* 6–11, lists the Watchers' various misdeeds, which include "impious attitude, sexual intercourse with women and procreation of children, the criminal character of those acts whose outcome is the defilement of the angels by the women, the prospective pernicious results of their sexual intercourse, the solemn oath with which they committed themselves to carry out their criminal plan, etc." There is no mention of a sin that involves transgressing the border between heaven and earth.

[175] George W.E. Nickelsburg, "Enochic Wisdom: An Alternative to the Mosaic Torah?" in *Hesed Ve-Emet: Studies in Honor of Ernest S. Frerichs* (ed. Jodi Magness and Seymour Gitin; Atlanta: Scholars Press, 1998), 123–132 at 126.

[176] Ibid., 126.

the most serious transgression: because they were spirits living forever in heaven, they were not supposed to marry at all, and therefore God had not even created female angels. Verses 106:13–14, which criticize the Watchers, similarly begin, "They transgressed the words of the Lord, the covenant of heaven … and went on sinning and transgressing the custom. With women they were mingling and with them they were sinning. They married some of them and they went on begetting children, not like spirits, but of flesh." Nickelsburg interprets this last sentence as a perversion of God's created order, the confusion of flesh and spirit. Some of the transgression could be interpreted, according to our modern contemplation, as a disturbance of the divine order; however, there is no evidence of this in the text, which indicates a constant emphasis on disobeying God's commands and the performance of concrete acts, such as defilement by women's blood, as the main sins. An abstract delinquency consisting of disturbing the cosmic order seems not to be in the ambit of their conceptions.

Nickelsburg also perceives the notion of the sin of the rich in the Epistle (98:B.2.1–3) as a perversion, so that it would fit into the frame of a violation of the cosmic order. But the author did not intend to portray the foolish behavior of the super-rich—"men put on adornments as women and fair colors more than virgins"—as a perversion. He intended, rather, to portray in his contemporary idiom the opulence of the rich, as boasted by the lack of "knowledge and understanding." Today we would not use the idiom of pouring silver and gold as food to symbolize the public display of luxury and superlative spending, and therefore we are unable to understand how adorning men like women was considered symbolic of affluence.[177] The author bundled this vice together with gold and silver and the foretold fatal future of the rich: "together with all their possession, and all their splendor and honor." That linkage indicates that their end will be the opposite of their previous circumstances; perversion is not one of them. The passage's parallels (96:4–8 and 97:7–10) complement our verses, stating that the rich acquired their wealth "unjustly" and by oppressing the poor, treading "on the lowly" while "drinking from every fountain." Verse 97:8 explains the somewhat odd expression of pouring gold and silver and many goods through an image: "as water they are poured out." The symbol of adornments is not mentioned in these warnings; it instead demonstrates the general intent of the accusations

[177] The biblical prohibition on men's wearing women's clothing and vice versa is interpreted in *b. Naz.* 59a as including all other aspects of external appearance.

against the rich and mighty: human greed and arrogance. These are perceived as human vices resulting from a lack of wisdom with which to understand the essence of the ultimate good; they are not perversities, however, and are not associated with violations of the cosmic order.

I believe that the scholarly hypothesis that the transgression of the border between heaven and earth is the Watchers' main sin is a purely modern projection. The same is true of the reading of Enoch that sees the text as a denial of divine law. In my opinion, a simple reading of these texts—one that does not seek to impose modern modes of interpretation on the authors of ancient texts—reveals that the Watchers' sin was simply their violation of the divine commands. Since Judaism sees all divine laws as fundamental aspects of God's creation, every transgression of a divine command may be perceived as a violation of the cosmic order, or of creation itself, but this is not clear from the text.[178]

3.9.2. *The Concept of Natural Cosmic Order: Incompatible with Traditional Jewish Doctrine*

Up to this point, I have disputed the scholarly assumption that the Watchers' main sin was the disturbance of the natural cosmic order by means of textual analysis. I wish now to dispute this concept as incompatible with traditional Jewish doctrine. The concept of Natural Law, the law of premise that it is also the law of creation, is founded on

[178] In fact, Kvanvig, "Enochic Judaism," 170, writes, "Both the Watchers and the sinners have violated the cosmic order." He refers to *1 En*. 1:9: "for all the wicked deeds that they have done, and the proud and hard words that the wicked sinners spoke against him," and 5:4: "you have not stood firm nor acted according to his commandments." If this were the case, however, we would expect to find such a notion in Scripture with respect to human sinners, and there is no such hint, despite the myriad doctrinal exhortations and intimations against sinning. Hence, the underlying philosophical concept of disturbing the cosmic order by transgressing the divine law was neither used nor diffused in Jewish society, however plausible such a concept may be to the modern mind. I disagree with John J. Collins' assertion, in "Cosmos and Salvation: Jewish Wisdom and Apocalyptic in the Hellenistic Age," *HR* 17, 2 (1977): 121–141 at 139, that "the earthly world is characterized by the absence of cosmic order." Although Jewish texts enumerate human transgressions at great length, there is no mention of any kind of "absence of cosmic order." As to the assertion of irregular appearances of the stars in *1 En*. 18:15 and 21:6, I wonder whether the author intends these statements to refer to concrete instances of cosmological change or as metaphors. Scripture often employs the metaphor of light and darkness to represent good and evil, as in Isa 5:30, Ezek 32:8, Joel 2:2, Zeph 1:15, Amos 5:20, Nah 1:8, Ps 139:12, Lam 5:14, and Job 29:3. Moreover, the author of the BW (in 2:1) cites the luminaries as the model because they appear "on their feasts" and "do not transgress their own appointed order." Their fulfillment of God's command is their lauded attribute.

the reason and, at the same time, the law of the cosmos; thus, to transgress the law of nature is to transgress the law of the cosmos. This attitude emerges from Hellenistic philosophy, however, and is utterly opposed to the philosophy of the Torah—the νόμος, "*nomos*" (as the LXX translates the term "Torah" in Isa 1:10 and 24:5); νόμος is not φύσις "*physis*" (i.e., "nature"), and the Torah laws are not the laws of nature. The Torah laws came to suppress the natural impulses of humans; they are, at times, against the law of nature.[179] The Torah law not to eat pork is against the law of nature, and a rabbinic dictum emphasizes it. We read in *Sifra Qeddoshim parsha* 10, "From where do we know that a person should not say, 'I do not want to wear a garment of *shatnez* (a mixture of flax and wool, prohibited by Torah law), I do not want to eat pork, I do not want to have sex with somebody forbidden (by the Torah)' but rather [he should say], 'I do want [to do all this], but what can I do? My father in heaven decreed so [that it is forbidden].'" The Torah laws are God given, and are not the laws of nature.

Philo and the Hellenistic Jews attempted to reconcile the Torah laws, which are not founded on reason, with the Greek laws of nature, which are. We observe this in the debate between Antiochus and Eleazar in 4 Macc 5. Antiochus tries to convince Eleazar to eat pork, in the name of natural reason: "Why, when nature has granted it to us, should you abhor eating the very excellent meat of this animal?" (5:8). The Hellenistic Jew Eleazar answers, "Therefore we do not eat defiling food; for since we believe that the law was established by God, we know that in the nature of things the Creator of the world in giving us the law has shown sympathy toward us. He has permitted us to eat what will be most suitable for our lives, but he has forbidden us to eat meats that would be contrary to this" (5:25–26). Eleazar thus found a way to declare that the Torah laws are the laws of nature—the total antithesis of the rabbinic attitude exemplified above. Philo, motivated by Graeco-Roman intellectual trends, acknowledged Hellenistic philosophy and succeeded in reconciling the Torah laws with it, "making Mosaic law and its interpretations universally significant."[180] But not all Jews, even in Alexandria, accepted his particular interpretation.[181] They perceived the laws of nature as

[179] On this point see Ephraim E. Urbach, *The Sages: Their Concepts and Beliefs*, 4th ed. (Hebrew; Jerusalem: Magnes Press, 1978), 258–261.

[180] Hindy Najman, "The Law of Nature and the Authority of Mosaic Law," *Studia Philonica Annual* 11 (Atlanta: Scholars Press, 1999) 55–73 at 57.

[181] Ibid., 56.

contrary to the laws of the Torah, in which nature is not central (in fact, there is no Hebrew term for "nature" in Scripture, as Najman notes).[182] Natural events are understood as divinely created and selectively applied, according to to the Deity's commands. The Hellenistic worldview, however, was adopted by Christianity from its earliest appearance in history, in order to deny the necessity of the Mosaic law, replacing it with the law of nature. We read in Rom 2:14, "Indeed, when Gentiles, who do not have the law, do by nature things required by the law, they are a law for themselves, even though they do not have the law." Tertullian adduced the example of Enoch, a righteous person living before the revelation of the Mosaic Torah by keeping the laws of nature.[183]

Consequently, every act against the Law of Nature—or the Law of Creation—is a violation of the cosmic order.[184] The sin of the Watchers thus becomes a perversion, a violation of the cosmic order like homosexuality, equated with it in Jude 1:6–7: "And the angels who did not keep their positions of authority but abandoned their own home—these he has kept in darkness, bound with everlasting chains for judgment on the great Day. In a similar way, Sodom and Gomorrah and the surrounding towns gave themselves up to sexual immorality and perversion." The Watchers' sexual acts with humans were against their heavenly nature and are equivalent to the unnatural acts of homosexuals; the sin of each is to have acted against the law of nature. In Rom 1:26, Paul criticizes lesbians because "women exchanged natural relations for unnatural ones," and in 1:27 he accuses men: "In the same way the men also abandoned natural relations with women." In Confessions 3:15, St. Augustine criticizes the offensive and unnatural acts of homosexuals and calls for their punishment, comparing their behavior to those of the inhabitants of Sodom and Gomorrah. He goes even further, justifying Lot's offer to give his daughters to the assailants of his house, rather than his male guests, and thus avoiding the greater sin of homosexuality. We can observe the significance of acts against the law of nature in Christian theology, which

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[182] Ibid., 59.

[183] Tertullian, *Adversus Judaeos* 2, denies that abiding by the Laws of Moses is required in order to be righteous. He contends that the fathers were righteous because they kept the natural laws, which they understood naturally. He particularly singles out the example of Enoch, who was not circumcised and did not observe the Sabbath but was nevertheless a most righteous man, a candidate for eternal life, and pleasing to God, all without the burden of the Law of Moses.

[184] Collins, "How Distinctive," 30, perceives the Law of Nature and the Law of Creation as identical.

links the sin of homosexuality to the destruction of Sodom. The denotation of homosexuality as Sodomite acts in the European languages has its roots in Christian interpretation of the biblical narrative. The Jewish traditional (rabbinic) interpretation perceives the Sodomites' sinful behavior as consisting in social misdeeds.[185]

We read in *m. Aboth* 5:10, "There are four types of human characters: the one who says, 'What is mine is mine and what is yours is yours,' is the average character, but some say this is the character of Sodom (because he is unwilling to assist others even when doing so would not harm his interests, as the commentators explain)." The expression מדת סדום appears often in rabbinic literature, always in connection with economic topics, referring, as the commentators clarify, to an attitude of unwillingness to assist others, even when it does not harm one's financial interests. *Gen. Rab.* (Vilna) *parsha* 41:7 states, "If a man is רע 'wicked' one calls him a Sodomite." Homosexuality or any other sexual misdeed is not cited as a Sodomite characteristic. It is remarkable that Scripture uses the term הפך "overturn" exclusively for the portrayal of the destruction of Sodom and Gomorrah and for the divine admonition of Nineveh expressed by Jonah (3:4) as punishment for their pecuniary crimes. Many other expressions of destruction are used in Scripture, and even in God's dialogue with Abraham about the foreseen destruction of Sodom and Gomorrah: the term שחת "to ruin" is used, but then, from the dialogue of the angels with Lot, the term הפך is used to portray the destruction, and in all later comparisons of destruction to that of Sodom and Gomorrah, the term הפך is again used.[186]

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[185] Jacques van Ruiten, "Lot versus Abraham: The Interpretation of Genesis 18:1–19:38 in *Jubilees* 16:1–9," in *Sodom's Sin: Genesis 18–19 and Its Interpretation* (ed. Ed Noort and Eibert Tigchelaar; Leiden: Brill, 2004), 29–46 at 38, writes: "In most cases [in the Hebrew Bible and early Jewish literature] the accusations seem to refer to social injustice." I doubt whether Jer 23:14 can be perceived as indicating sexual connotations of the sin of Sodom, as he suggests. We read there, "And among the prophets of Jerusalem I have seen something horrible: They commit adultery and live a lie. They strengthen the hands of evildoers, so that not one of them turns from their wickedness. They are all like Sodom to me; the people of Jerusalem are like Gomorrah." The association of sexual misdemeanors with Sodom is only one villainy among others, and indicates rather that Sodom and Gomorrah became the symbol of all that is wicked, not of any specific type of evildoing. Further, Jeremiah's comparison of the prophets to Sodom and the people to Gomorrah, dividing between them, indicates that the analogy should be perceived as recited in a poetic literary style, without any intent to attribute some misdeeds to Sodom and others to Gomorrah. We encounter similar poetic expressions in Isa 1:9 and 10 and Zeph 2:9, without any association to specific types of wickedness.

[186] See Deut 29:22; Jer 20:16, 49:18; Amos 4:11.

It is interesting to note that in both events, the character of the sin for which God decides to destroy the cities is not divulged. In Gen 18:20, when God discloses to Abraham that Sodom and Gomorrah will be destroyed, the undetermined term חטאתם "their sins" is used; and in Jonah 1:2, when God commands Jonah to go to Nineveh, the undefined term רעתם "their wickedness" is used. The specific character of this wickedness, however, for which the city should have been destroyed, is disclosed in the repentance that causes the divine change of heart. We read in Jonah 3:8 the content of the King's command: "Let them give up their evil ways and their violence." This is the translation of the NIV and KJV, but the LXX translates חמס as ἀδικία "wrongdoing, injustice," terms that indicate financial iniquities. The indicator אשר בכפיהם "[which was] in their hands" denotes the meaning of the term חמס in this instance, which is "robbery." *B.Taan*. 7b interprets the term חמס in Jonah as robbery.[187] We observe that the concept of Natural Law, which the Watchers are alleged to have transgressed, is patently opposed to Jewish theology. It is implausible to assume that the Jewish society of the period when the BW narrative appeared would have interpreted the Watchers' sin as a disturbance of the natural cosmic order.

I have attempted in this chapter to refute the scholarly hypothesis that deviation from a supposed cosmic order was the Watchers' primary sin, a theory that fails to take into account the horizon of expectations of the BW's readers and that has no solid grounding in the text. According to my simple interpretation of the BW, the Watchers are accused of transgressing various divine commands, of organizing a rebellion against God, and of having intercourse with earthly women (thereby forsaking heaven). The list of the Watchers' misdeeds included in God's indictment, as transmitted by Enoch's intermediary, opens as follows: "Why have you forsaken the high heaven, the eternal sanctuary?" (15:3). Thus, the Watchers' primary sin was essentially their "forsaking God."

[187] *B. Tann*. 16a records that if an inhabitant of Nineveh unjustly took a beam from somebody and built it into his house, he destroyed the house and returned the beam to its legitimate owner.

CHAPTER FOUR

ENOCH: COMPLEMENTARY OR ALTERNATIVE TO MOSAIC TORAH?

4.1. Introduction

4.1.1. *Allegations That Enochic Judaism Follows Enoch Rather Than Moses*

Several scholars have conjectured that the lack of any explicit mention of the Mosaic Law and the covenant at Sinai in the Book of Enoch indicates that a supposed "Enochian" group studied this book, acknowledged its authenticity, and perceived Enoch as the foremost conveyor of the divine will and rules, thus minimizing the significance of Moses' revelations at Sinai. This chapter refutes these allegations by pointing to various flawed arguments. I will dedicate special consideration to Collins' assertions on this point, because his writing is the most recent of the scholarly theories discussed in this chapter.[1]

4.1.2. *Scholarly Opinions about Theological Fractures in Ancient Israelite Society*

Based on nothing more than a lack of explicit evidence to the contrary, G. Nickelsburg alleges that the Torah and Mosaic covenant were not of central importance to the authors[2] of Enoch or to their readers.[3] He dismisses the explicit reference to a covenant at Sinai in 93:6 as the only such instance in all 108 chapters and disputes the possible allusion to the Sinai covenant in 1:4 because the verse refers to "all flesh," Jews and Gentiles alike, and the latter were not at Sinai.[4] On

[1] Collins, "How Distinctive."

[2] Scholarly opinion has it that several authors composed the various segments of *1 Enoch*, Therefore, I will refer to the "authors" of *1 Enoch*, although in some instances there may have been a single author.

[3] Nickelsburg, *1 Enoch 1*, 50–51. See also Nickelsburg, "Enochic Wisdom," 124; Boccaccini, *Beyond*, 167.

[4] Nickelsburg, *1 Enoch 1*, 50.

the basis of this allegation, as well as the large number of copies of Enoch found at Qumran (compiled from the writings of many authors), Nickelsburg perceives the existence of a distinct, ideologically defined group, an "Enochic Judaism" (a sobriquet coined by Boccaccini), engaged in a continuous intellectual cogitation on Enoch's revelations.[5] At the same time, Nickelsburg admits that *1 Enoch* "has a number of significant parallels with the Mosaic Pentateuch"; he insists, however, that the text is "downplaying the importance of Moses" because of the lack of explicit references.[6]

Bedenbender asserts that Moses and Enoch represented two alternative ways to understand and to explain the world.[7] He further argues that "what became central in the Mosaic concept was marginal in the Enochic one" and that "a kind of ideological competition" existed between the Enochic paradigm and "the Mosaic wing of Judaism." In another study, Bedenbender writes that in the pre-Maccabean period a "considerable extent of distrust" existed between the Temple-oriented tradents of the biblical writings and the followers of the pre-diluvian Enoch, thus alleging a schism in Israelite society.[8]

Boccaccini, conjecturing on the conspicuous absence of Moses from Enochic literature, insists that Enochic Judaism perceived Enoch as superior to Moses. He alleges, however, that this absolute disregard for Moses changed somewhat in the post-Maccabean period, thanks to *Jubilees*, although Moses remained less important than Enoch.[9] He further contends that the Enochic literature is proof of the existence of a nonconformist priestly tradition whose ideology is directly opposed to that of the Zadokites as a result of its particular conception of the origin of evil, namely, as the result of rebellious angels.[10]

Collins likewise endorses the supremacy of Enoch's revelation over the Mosaic Torah, which he supports by an argument *ex silentio*.[11] He

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[5] Boccaccini, *Beyond*, xv.

[6] Nickelsburg, "Enochic Wisdom," 129–130.

[7] Bedenbender, "Traces," 39–40.

[8] Andreas Bedenbender, "Als Moses und Henoch zusammenfanden. Die Entstehung der frühjüdischen Apokalyptik in Reaktion auf die Religionsverfolgung unter Antiochos IV. Epiphanes," in *Jüdische Schriften in ihrem antik-jüdischen und urchristlichen Kontext* (ed. H. Lichtenberger and G.S. Oegema; Gütersloh: Gütersloher, 2002), 182–203 at 188.

[9] Boccaccini, *Beyond*, 167.

[10] *Ibid*., 71–74.

[11] Collins, "How Distinctive," 29–30.

disputes an attempt to reveal hints of Sinaitic lawmaking in *1 Enoch* by Hartman, who compares 1:3–4 to Deut 33:2,[12] stating that the Enoch text is significantly modified from the Deuteronomic quotation.[13] Collins admits that the relationship between the chosen and God may be covenantal, but asserts that it is not based on the Mosaic covenant. He rejects the supposition that this covenant is not mentioned because it is presumed to have occurred before Moses' era and agrees with Boccaccini that the "Enoch literature reflects a distinctive form of Judaism in the late third/early second centuries BCE," on the basis of two arguments: the explanation of the origin of evil in the Watchers' myth[14] and the evocation of Enoch, rather than Moses, as the revealer of essential wisdom.[15]

K. Coblentz Bautch justifies her identical theory by arguing that "sinful behaviour, especially as exemplified by the Watchers, is noted, but not explicitly associated with Torah."[16] According to her, although Sinai is mentioned in *1 Enoch* 1:4, the verse refers to a theophany rather than to the site where the Torah was given, and Moses is not present at all. Collins also points out that *1 Enoch* 89:73 ("Dream Vision") implies a negative reference to the Temple, "a rupture with what was arguably the most central symbol in Judaism in that time" (thus alleging a real split in Israelite society).[17] Nickelsburg perceives verses 89:73–74 as denoting "the pollution of the cult after the return from exile," without indicating the period to which it refers.[18]

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[12] Lars Hartman, *Asking for Meaning: A Study of 1 Enoch 1–5* (ConBNT 12; Lund: Gleerup, 1979), 24, compares *1 En.* 1:4 to Deut 33:2.

[13] Collins, "How Distinctive," 30.

[14] However, Collins, "How Distinctive," 19, does not agree that the Watchers' narrative is to be understood as the paradigm for the origin of evil; he perceives it, rather, as "only one motif among many others," and he agrees with Nickelsburg's statement that the focal point in all the Enochic books is the coming judgment. In addition to my comments on this issue in this chapter, I dispute the theory of the origin of evil as the message of the Watchers' narrative in chapter 3 especially pp. 118–141.

[15] Collins, "How Distinctive," 33.

[16] Coblentz Bautch, *Geography of 1 Enoch*, 298.

[17] Collins, "How Distinctive," 20.

[18] Nickelsburg, *1 Enoch 1*, 47. We read there, "And they began again to build as before and they raised up the tower and it was called the high tower, and they began again to place a table before the tower but all the bread on it was polluted and not pure."

4.2. Disputing the Above-Mentioned Theories

4.2.1. *Methodological Criticism*

Methodologically, one ought not to deduce something solely on the basis of arguments *ex silentio*, which cannot serve as positive evidence for a revolutionary idea that would have reversed an established and long-held perspective.[19] In order to allege such a radical proposition—that a group or groups of Israelites denied the supremacy of the Mosaic Torah, instead awarding this merit to Enoch—one would need hard, incontestable evidence, which is utterly absent from historical writings, including those of Jewish historians. It is somewhat baffling that the very scholars who deduce such a peculiar theory from the mere absence of the term "Mosaic Torah" in *1 Enoch* accept the existence of a movement that is also never mentioned in any of the likely sources. In fact, Bedenbender wonders at the fact that there was no internal Israelite reaction to such decisively divergent doctrine.[20] Even if the Enochic movement "originated in conventicles," as Collins hypothesizes, it could not have flourished in a repressive environment that would have forced it to hide its objectives.[21] Qumran literature serves as evidence for this; it candidly criticizes the group's opponents, indicating their misdeeds.

4.2.2. *Inconsistent and Ambiguous Writings Inappropriate for the Deduction of Subtle Theological Doctrines*

Due caution should be exercised when attempting to deduce subtle theological doctrines from the texts of compiled apocalyptic writings based on occult visions, and particularly from the Enochic *Dream Vision*, as noted by Collins and Nickelsburg. The latter portrays the *Dream Vision* as lacking any clear chronology and suggests that ambiguity is inherent to

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[19] The rabbis, who practiced a liberal, broad-minded system of interpretation, detaching their exegesis from the literal meaning of the text, maintain the maxim "you deduced a positive consequence from a parallel negative dictum" (*b. Ned.* 11a) as a legal principle; for example, *If you perform this not according to my instructions, I will not pay you*, is considered an obligation to pay if the person performs the task correctly. However, the rabbis do not accept *ex silentio* evidence, as we read in *b. Ket*, 23a: "I/we have not seen something is not an acceptable evidence; for example, a declaration: we have not seen her [getting married] is not acceptable evidence that [a woman] is not married."

[20] See section 2.6 below.

[21] Collins, *Apocalyptic Imagination*, 38.

the allegory.[22] In addition, there is the issue of the different translations and copies of *1 Enoch*. From the literary text of the *Dream Vision*, for example, it is impossible to clearly discern which of its events the authors knew from history and which are their expectations of what the future will bring. Because they spoke in the name of Enoch, pretending to prophesy exclusively for the future, their writing cannot serve as accurate evidence of, for example, a time when the lambs were born with open eyes (90:6) or when the great horn sprouted (90:9) and the beasts did not prevail against it (90:12).

4.2.3. *Lack of Textual Support*

The argument that the Enoch writings are a "core revelation, and the criteria for judgment, with creation," thus marginalizing the Sinaitic revelation, raises the following questions:[23] (1) What is the foundation of this statement about its supreme character and of its portrayal as associated with creation? (2) Where does Enoch describe the constitution of the covenant he mentions, and its details? (3) What is the basis of Collins' conjecture that the readers of Enoch understood his revelation as "core revelation"? (Indeed, *1 Enoch*'s readers may have perceived the book as complementary to the Mosaic Torah, in the sense of a general glorification of God, in the manner of the prophets. The latter, with a few exceptions, also did not mention Moses or Sinai, but their readers and listeners did not suspect that these revelations lessened the significance of the Mosaic covenant, and no separate groups came into being as a result of the scriptural books that do not mention Moses or Sinai.) (4) Collins rejects the theory that Moses and Sinai may go unmentioned because Enoch was written in an earlier era by insisting that, if this were the case, Enoch would have identified his revelation with something "distinctively Israelite." But what could be "distinctively Israelite" prior to Abraham, the founder of the Israelites? (5) To whom are Enoch's narratives and prophecies directed? In the absence of Mosaic law, they must refer to all humanity, Israelites and Gentiles alike. Yet in a number of instances in *1 Enoch*, the historical narrative of Israel is related quite explicitly.

Furthermore, Collins apprehends that one cannot expect the mention of Mosaic laws in Sir, which "is a wisdom book rather than an

[22] Nickelsburg, *1 Enoch 1*, 360.
[23] Collins, "How Distinctive," 32.

exposition of the Torah."[24] The same discernment should apply to the Book of Enoch, whose purpose is not the dissemination of Torah rules and Israelite history but, rather, exhortations and admonitions on familiar divine rules (hence, the chosen righteous are those who abide by these rules, and the sinners are those who transgress them). Collins also alleges that the biblical wisdom literature is not centered on the Mosaic Torah and that this demonstrates that "Judaism in the early second century BCE was not uniformly Torah centered."[25] I would argue, rather, that the lack of explicit references to the Mosaic Torah is due to the fact that this literature relates to a different kind of wisdom/knowledge, that of more general notions of proper human behavior. The early rabbis would not have canonized Canticles and Qoheleth if they had seen these books as challenging or slighting the Mosaic Torah; the same applies to the Qumran group, a notably Torah-centered community,[26] who kept these wisdom books in their Library. Similarly, scholars do not contend that the *Temple Scroll* is not Torah centered just because it does not mention Moses; rather, they determine a particular motive behind this omission. The absence of Mosaic revelation in *1 Enoch* can be also be interpreted differently, as I will attempt to explain further on.

4.2.4. *Does Absence of Explicit Evidence Serve as Contrary Evidence?*

Other Writings without Mentions of Moses and Covenant Undoubtedly Refer to Moses

The key to understanding why there is no mention of any such Enochian group or ideology is that it simply did not exist.[27] Even if we perceive this as an argument *ex silentio*, it is nonetheless identical in its evidentiary merit to the scholarly rejection of evidence contradicting the thesis regarding implicit mentions of Sinai and Mosaic rules, cited above.

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[24] Ibid., 32.

[25] Ibid., 33.

[26] John J. Colllins, *Apocalypticism in the Dead Sea Scrolls* (London; New York: Routledge, 1997), 32, states, "The central importance of the Torah at Qumran scarcely needs to be stressed."

[27] Schmidt, "Origins of Enoch Traditions," 49, describes the attempt to generate, by inference, modeling, and analogy, the hypothetical Enochic community or communities that might have produced and transmitted those texts that scholars commonly associate with Enoch.

Given that scholars are deducing theories about a supposed Enochian group purely on the basis of a lack of positive evidence (namely, the omissions in Enoch of any mention of the Mosaic Torah or Sinai), I wonder why the lack of evidence of the existence of an "Enochic Judaism" or of any dispute with such a group does not constitute sufficient evidence to allege that no such group ever existed. The absence of Mosaic revelation in *1 Enoch* can be interpreted differently, as I will explain below.

In the *Book of the Covenant* (Exod 20:19–23:33), as it is termed by scholars, there is no mention of the term ברית "covenant." And yet, this omission did not prevent scholars from naming it "The Book of the Covenant." In the lengthy exhortations to proper behavior and threats of severe punishments for acting wrongfully that appear in the Prophets (similar to the theme of *1 Enoch*), Moses' name is mentioned only five times in total.[28] In each instance, the text is referring to Moses' leadership and his special connection to God. The text of Isa 63:11b, "Where is he [Moses] who set his Holy Spirit among them," demonstrates his exalted position in Israelite mythology and his prominent spiritual position, which ought to relate to Moses' lawgiving function, since there is no mention of any other source of the Law. Thus, the Moses mythology was clearly known to these prophets, who nonetheless chose not to make explicit mention of the Mosaic Torah. Certainly this does not imply that they adhered to another apocalyptic personality whom they regarded as the source of wisdom and law. It is also worth noting that none of the prophets mentions Enoch; in fact, Enoch, the subject of our study, is never mentioned in Scripture except in Genesis.

Other important texts omit any mention of Sinai or Moses, yet these omissions do not raise suspicions of ignorance or denial of the Mosaic tradition. We read in Josh 24, a book believed to be of late deuteronomic redaction, about a covenant between God and Israel in Shechem. While Moses' Torah is mentioned in Joshua's presentation, there is no mention of his covenant with the people of Israel, concluded at Sinai (Exod 34:10, 27) and at Horeb, presumed to be another name of Sinai (Deut 5:2). Moses' Torah is mentioned only in the post-exilic prophet Mal 3:22 and a few times in the hagiographic, later canonized, books of Daniel, Ezra, Nehemiah, 2 Chronicles.

Is this peculiarity similarly suggestive of the existence of a Shechemite group that held Joshua and his covenant in prominence over Moses?

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[28] Isa 63:11, 12; Jer 15:1; Mic 6:4; Mal 3:22.

The *Temple Scroll* also neglects to mention Moses. Surely this does not imply that its author was an "Enochic" Jew who did not believe in the revelation of Moses at Sinai. To my knowledge, no scholar has voiced such a theory, that is, that the *Temple Scroll* represents a different tradition than the Mosaic, despite the fact that the order of the halakhot is different here than in the Mosaic Torah and even contains significant changes, such as the addition of new holidays. Scholars seem to have correctly perceived that, since its author "presented his work as a written version of the revelation God gave to Moses," he could not mention Moses by name.[29] The same applies to the authors of *1 Enoch*.

The chronological *Apocalypse of Weeks*, assumed to have been written by a different author than the other Enoch elements, does not mention the Exodus, in contrast to the *Animal Apocalypse*. Furthermore, *1 Enoch* does not mention prophecy as a reality of Jewish life and holy writ. Clearly this does not mean that these authors and the alleged "Enochic Judaism" ignored the significant Exodus mythology and were dismissive of the prophets. Further, if the rabbis had assumed that the text of *1 Enoch* proves its opposition to the Mosaic tradition, as scholars allege, they would not have asserted that Enoch entered Paradise alive, together with Elijah and other prominent personalities.[30]

4.3. Rationale for the Omission of Moses and Torah in *1 Enoch*

The Mosaic Torah and Israel were not mentioned in *1 Enoch* to avert the slightest suspicion of its authenticity as a text generated by Enoch before the institution of Israel and the revelation of the Torah. I dispute Collins' approach, which contrasts Enochic literature that does not explicitly refer to the Mosaic Torah with *Jubilees*, "which retells the stories of Genesis from a distinctly Mosaic perspective, with explicit halakhic interests."[31] *Jubilees* was unequivocally written after Moses and the Sinai

[29] Florentino García Martínez, *Qumranica Minora* I (STDJ 63; ed. Eibert J.C. Tigchelaar; Leiden: Brill, 2007), 276.

[30] See *Der. Er.* 1:18. Although in *Gen. Rab. parsha* 25 we encounter a different opinion about Enoch—that he was sometimes a righteous and sometimes a wicked person—it still asserts that God took him away from the earth at a time when he was righteous. If there were the slightest suspicion that Enoch had denied the Mosaic Torah, he would have been accused as a most perfidious sinner who was therefore killed by God at a younger age than his peers.

[31] Collins, "How Distinctive," 31.

revelation (chapter 1 begins with the portrayal of this event); the author of *Jubilees* clearly did not share the concern of the authors of *1 Enoch*, which compelled them to conceal from their readers the actual late period of their writing. The same applies to Collins' comparison of *Enoch* with *Jubilees* with respect to the statement that the Patriarchs "acted in conformity with the [Mosaic] Law."[32]

The different procedures of *Jubilees* and *1 Enoch* on the issue of referring to the fulfillment of Mosaic rules prior to the revelation at Sinai are perfectly justifiable in view of the different circumstances, and therefore cannot serve as evidence regarding *1 Enoch*. Although *Jubilees*' narrative describes a time before Moses, its author records that the Patriarchs fulfilled Torah rules. In relating the story of Reuben lying with Bilhah, however, the author states that the Torah ordinances had not been revealed in their entirety for all at that time (*Jub*. 33:16)—that is, before the Sinai revelation. His approach to the Reuben and Bilhah narrative demonstrates that the author of *Jubilees* was well aware of the problem of anachronism relating to the recorded performance of Mosaic rules by the Patriarchs but proceeded differently in the two distinct occurrences. He wanted to attribute a primeval origin to the Torah, similar to the rabbinic declaration that the Torah was created before the world (*b. Pes*. 54a), and similarly chose to emphasize the significance of the sacrificial cult by recording that the Patriarchs performed these very rituals.[33] The elevated status of the Patriarchs in Israelite mythology made it reasonable to imagine that they were privileged to receive the Torah's revelation before all others. Hence, Collins' polemic does not invalidate the anachronistic argument for the explanation of the absence of references to Moses by the authors of *1 Enoch*. The authors of *1 Enoch* were compelled to meticulously conceal the book's late composition for the sake of credibility. The author of *Jubilees*, likewise aware of the problem of anachronism, adjusted the narrative where that problem manifested itself.

[32] John J. Collins, "Theology and Identity in the Early Enoch Literature," *Henoch* 24 (2002): 57–62 at 58, writes, "The absence of such reference [to the Mosaic covenant] cannot be fully explained by the fact that Enoch belongs to an earlier era, so that explicit reference to Moses would be anachronistic."

[33] For an identical motive, to enhance the significance of prayer, Rabbi Jose ben Haninah declared that the Patriarchs instituted the three daily prayers (*b. Ber*. 26b).

4.4. Factual Criticism

4.4.1. *Critique of Boccaccini's Theory of Change and His Postulate of Ideological Collision between Zadokite and Enochian Priests*

Boccaccini's allegation that the absolute disregard for Moses changed somewhat in the post-Maccabean period thanks to *Jubilees*, but that Moses remained less important than Enoch, challenges his overarching theory, as argued below. Since it is generally assumed that the Torah was diffused in Israel before the appearance of Enoch's writing,[34] it seems odd to presume that on this occasion a group of Jewish intellectuals would have abandoned the revered Torah tradition[35] and adopted in its place a recently revealed fantastic writing.[36] Boccaccini's assertion that, after a relatively short period, the publication of *Jubilees* effected a reversal of this spiritual movement and a return to the Mosaic Torah seems even less realistic. Such swift shifts are extremely implausible. During that period the diffusion of new ideologies among people who felt passionately about their religious ideals would have required considerable time. It appears that Boccaccini is aware of the problems raised by his conjectures, because he states that the Torah "remained less important," not utterly replaced by *1 Enoch*, as was his initial claim. He offers no solid explanation for these changes, however, nor any evidence of the switch from rivalry to compatibility between an "Enochic" group and the rest of the Israelites. It is inconceivable, furthermore, that such a radical theological turnaround as the forsaking of the Torah would have been produced by a mere absence of references to to Moses or the Sinai revelation in the Book of Enoch. History, particularly Jewish history, records the emergence of reformers and portrays their assiduous and sometimes dangerous efforts to openly explain and defend their doctrines in order to convince their listeners or readers. The mere act of not mentioning the Torah in the Enoch narrative could not have effected

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[34] On this point see section 2.4.2.

[35] White Crawford, *Rewriting Scripture*, 1–2, referring to the Pentateuch and most of the Prophets, asserts that by the Greco-Roman period (from 332 BCE) "there existed a body of religious texts … that the majority of the Jewish community deemed binding for faith and practice." See also p. 182, n. 73 (Chapman).

[36] Hogan, *On Interpretation*, 25, states that a historian should follow the principles of rational inference, considering in his interpretation of texts the context of general theories about the way people behave in given circumstances, including "broad theoretical presuppositions about human psychology."

the rejection of the former, especially since *1 Enoch* implies a defined hortatory purpose, as I will substantiate later in this chapter.

Boccaccini concludes his thesis about the divergence of ideology between the Zadokite priests and the authors of *1 Enoch* as follows: "Evil and Impurity are incontrollable … and human beings are powerless. The only hope [to control evil] is in God's intervention."[37] Both this allegation and Boccaccini's assertions about "a harsh indictment against the temple cult"[38] lack substantive proof, especially given that the Temple is never explicitly mentioned in the entire text,[39] which may indicate a preconceived aim. The fact that, according to Enoch, there are sinners and righteous people demonstrates that human beings are not powerless against the alleged demons and corruption, and can control evil. Boccaccini's conjecture that the corruption and redress of the cosmic order constituted the core of the contention between the dominant priests and the Enochic ideology also lacks sufficient proof. According to Boccaccini, Artapanus shows that in the pre-Maccabean era "the Mosaic Torah could still be ignored."[40] In conclusion, I suggest that apparent differences in literary texts are not sufficient evidence of such a split in society.[41]

4.4.2. *The Purpose of* 1 Enoch*: Criticism of the Temple's Pollution?*

4.4.2.1. *Which Period Is Criticized in the Dream Vision?*

There is no doubt that *1 En*. 89:73–74 demonstrate criticism of the Temple, but it is evident from the text that they refer to the early period of the Second Commonwealth, just after the return from Babylon.[42]

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[37] Boccaccini, *Beyond*, 74.

[38] *Ibid*., 74. The quoted passage is from Hanson, "Rebellion," 226.

[39] *1 En*. 89:73 hints at the problems connected with the building of the Second Temple, as recorded in the prophets of that period (see comments on this verse in section 1.2 above). It is remarkable that Suter, "Fallen Angels," 116—who came up with the idea that the Watchers narrative is a concealed criticism against the priests for the improper marriages that render them impure, thus polluting the Temple—does not use this verse as support for his theory.

[40] Boccaccini, *Beyond*, 90. Because of the nature of Artapanus' narrative, scholars debate his ethnicity and origin. His writing is perceived as a popular romance, not based on the Bible but, rather, reflecting, a mixture of Egyptian local traditions and a collection of stories from Hellenistic historians. He not only omits Moses' position as lawgiver but portrays him as the founder of Egyptian cults. In addition, he omits the Passover holiday. I cite Emil Schürer, *The Literature of the Jewish People in the Time of Jesus* (ed. and introd. Nahum N. Glatzer; New York: Schocken, 1972), 206, who states that Artapanus' narrative is "methodically embellished … remodeled by fantastic and tasteless additions."

[41] On this point see section 2.7.1 below.

[42] *1 En*. 89:72b: "three of those sheep returned … and began to build."

Thus, there is no connection between this criticism and the supposed Enochic "rupture." Little is known about conditions in Judah during the first period after the return from Babylon, because of a dearth of authentic and reliable documentation from that period. Nevertheless, a careful reading of the existing writings reveals that with the return of the Babylonian exiles, who claimed to represent normative Judaism, religious and political tensions embroiled all of Judean society. I refer to the tensions that likely existed regarding the building of the Temple,[43] the contempt of sacrifices,[44] the desecration of the Sabbath,[45] marriages with Gentile women,[46] and the political struggle between the clerical priesthood and the political leader, the scion of the Davidic family.[47]

Ezra and Nehemiah had to impose the Torah rules using the authority conferred on them by the Persian government, and it is not at all evident from the vague texts of these books that they fully succeeded in doing so.[48] Indeed, evidence to the contrary exists in the fact that the aristocratic and priestly families sometimes opposed them.[49] These facts, referred to by the author of Enoch's *Dream Vision*, are utterly unrelated to Enoch and its particular theological issues or to the specific beliefs of

[43] Ezra claims that that the people were, indeed, eager to build the Temple (Ezra 3:1–9) but that the Persian government, at the instigation of a vaguely named group (Ezra 4), hindered its construction. But Hag 1: 2–9 indicates that the people preferred to build their lavish houses and refused to donate money for the building of the Temple. See Heger, *Three Biblical Altar Laws*, 345–350, and Lester L. Grabbe, *Ezra-Nehemiah* (London: Routledge, 1998), on the internal inconsistencies of the Ezra and Nehemiah narratives and their divergences from other prophetic writings. See also *Gemeinde ohne Tempel: Community without temple: zur Substituierung und Transformation des Jerusalemer Tempels und seines Kults im Alten Testament, antiken Judentum und frühen Christentum* (ed. Beate Ego, Armin Lange, and Peter Pilhofer; Tübingen: Mohr Siebeck, 1999) on this issue.

[44] Mal 1:6b–8 accuses the priests of insulting God's name and table by placing defiled animals on the altar. Hag 2:11–15 accuses the priests of serving at the altar in a state of pollution.

[45] Neh 13:15–22.

[46] Ezra ch. 9 and 10; Neh 23:23–28.

[47] Haggai acclaims in 2:2–5 both branches of the Judean leadership, the political head, Zerubbabel, and Joshua, the High Priest. In 3:21–23, the prophet promises Zerubbabel that God has chosen him to dominate and tells him that He will make him His signet ring. In Zech ch. 4, we can already discern tensions between the two, and the prophet invokes the name of God in his efforts to convince them that both Zerubbabel and Joshua "are anointed to serve the Lord of all the earth. The Prince's duty is equally a service to the Lord, like the priest's."

[48] Ezra 7:26.

[49] Ezra 9:2; Neh 13:7–9, 28.

a supposed Enochic group. Moreover, the author quotes the pollution of the bread, an accusation that exactly fits Malachi's claim, not the pollution of the Temple or of the genealogy of the priests, as Suter alleges.[50] I find it extremely odd that the author of the *Animal Vision* would attempt to conceal the character of the pollution,[51] and its instigators, if he had perceived that the Temple had been defiled in his period.[52] We observe that the Qumran group, which flourished at this time, openly accused the priests, including even the High Priest, of this very transgression. Moreover, if the authors' opponents could not identify from the text either the type of pollution or its agents, their readers most likely did not understand this either. What, then, one must ask, was the author's purpose?[53] Thus, it is evident that the author refers to the issues enumerated above, related to the building of the Temple, and it stands to reason that he had a specific purpose in mind that is different to those alleged by scholars.

4.4.2.2. *Scholarly Hesitation and Disapproval of Alleged Confrontation between Enochic Revelation and Mosaic Torah*

Bedenbender asserts that "'Moses' and 'Enoch' represented two alternative ways to explain the will of God."[54] In another of his studies, he attempts to explain "the disappearance of the covenant at Mount Sinai in the Animal Apocalypse but also in the Apocalypse of the Weeks," alleging that the theology of the Enoch Apocalypse offered a more reliable explanation of the calamities inflicted on Judah by the Hellenists in 167 BCE, which led the people to abandon the Torah in favour of this new text.[55] However, he does not offer any reasonable explanation for the

[50] Suter, "Fallen Angels."

[51] Michael A. Knibb, "Enoch Literature and Wisdom Literature," *Henoch* 24 (2002): 197–203 at 202, referring to the assumption that one finds in elements of *1 Enoch* veiled criticism of the Jerusalem priesthood, asserts, "the fact that in the Book of Watchers the criticism is veiled must mean that there remains an element of uncertainty about it."

[52] If the author was referring to the period of Hellenization and the priests' leading role in the process, he could have offered some identifying hint.

[53] One cannot compare these circumstances to the encoded names or sobriquets used in Qumran literature. In both texts, the assumed accusations relate to the Temple's pollution, but in the Vision, the transgressors are sheep, while in BW they are angels; hence these texts do not reflect a defined encoding.

[54] Bedenbender, "Traces," 39–40.

[55] Andreas Bedenbender, "Reflection on Ideology and Date of the Apocalypse of Weeks," in *Enoch and Qumran Origins* (ed. Gabriele Boccaccini; Grand Rapids, MI: Eerdmans, 2005) 200–203 at 202.

assumption that the revered Mosaic Torah, which predicts the occurrence of calamities as punishment for Israel's sins as well as its ultimate redemption, was superseded, in the minds and hearts of the Israelite audience, by the writings of Enoch, whose explicit subject and purpose were identical. Such a reader-response seems implausible; it was not in the ambit of their expectations or their religious imagination.[56] However, in another of his publications, Bedenbender declares, "wo aber der Sinai ist, wird das mosaische Gesetz nicht weit sein" ("where Sinai is mentioned, the Mosaic law could not be far away"), suggesting that the author of the *Book of Watchers* implicitly acknowledges Mosaic Law.[57] By this assertion and by a few others, he markedly diverges from the opinion he expressed in *Henoch* 24, demonstrating his hesitancy on this topic.

Some scholars argue resolutely against the conjecture of Enochic versus Mosaic Revelation. E.P. Sanders challenges the theory, asserting that "one gains very little idea of how, in the view of the various authors, an individual lived a righteous life, what happened if he sinned, and where the line between the righteous and the wicked is"; the difficult questions are, "Who are the elect, what does one obey, and how obedient does he have to be to be considered among the righteous?"[58] Consequently, we may postulate that the authors of *1 Enoch* assumed that this knowledge appeared in another place and was well known, as is true of many prophetic exhortations and threats of punishment that do not cite the original divine commands or indicate the particular type of transgressions. Sanders argues further that from Enoch's *Dream Vision* (83–90) we observe that "the wicked are within Israel, rather than Israel's enemies" (89:32–33, 41, 51–54, 74; 90:7).[59] Their divine punishment for their apostasy appears in the following verses: 89:13–21, 42, 55–57; 90:2–4, 11–13, 16. Hence, there must be particular rules for Israel that separate them from the Gentiles, as generic accusations such as unrighteousness, violence, and the like could refer to Gentile and Jew alike. R.J. Bauckham similarly disputes the scholarly deduction of a rivalry between Enochic

[56] See Kugler, "Hearing 4Q225," 88.

[57] Andreas Bedenbender, *Der Gott der Welt tritt auf dem Sinai: Entstehung Entwicklung und Funktionsweise der frühjüdischen Apokalyptik* (Berlin: Institut Kirche und Judentum, 2000), 228, cited by Collins, "How Distinctive," 30.

[58] E.P. Sanders, *Paul and Palestinian Judaism*: *A Comparison of Patterns of Religion* (Philadelphia: Fortress, 1977), 348.

[59] Ibid., 351.

and Mosaic revelation, contending that the Torah is assumed as a basic standard and that there was, therefore, no need to mention it.[60] In his study, Collins quotes some more dissenting scholarly theories.[61]

4.5. Problematic Consequences of Scholarly Theories on the Absence of Mosaic Law in Enochic Doctrine and Writing

4.5.1. *What Constitutes a Sin, and Who Are the Sinners?*

As I have hinted above, it is difficult to establish with accuracy when the authors of *1 Enoch* are referring to all of humanity and when their admonitions are directed at the Israelites alone. Because of the obscure nature of the allegory, it is difficult to ascertain who is represented by the diversified beasts in the Second Dream Vision—whether corrupted Israelites with whom the Enochians may have quarreled in the case of a rupture, or exclusively Gentile enemies.[62] Similarly, it is not clear who

[60] R.J. Bauckham, "Apocalypses," in *Justification and Variegated Nomism*: *The Complexities of Second Temple Judaism*, vol. 1 (ed. D.A. Carson et al.; Grand Rapids, MI: Baker Academic), 135–187.

[61] Collins, "How Distinctive," 20, quotes the opinions of Mark Elliott, *The Survivors of Israel: A Reconsideration of the Theology of Pre-Christian Judaism* (Grand Rapids, MI: Eeerdmans, 2000), 330–332 and 529–533; at 22 and 29, Hartman, *Asking*, 71; at 26, Martha Himmelfarb, "Levi, Phinehas and the Problem of Intermarriage at the Time of the Maccabean Revolt," *JSQ* 6 (1999): 1–24 at 12; at 27, Himmelfarb, *Ascent to Heaven*, 14–16; and at 28, David Bryan, *Cosmos, Chaos and the Kosher Mentality* (Sheffield: Sheffield Academic Press, 1995), 129, 169.

[62] One's first impression is that all the devouring creatures are alien enemies of Israel, but their specific varieties change continually, which makes it unclear whom they represent in particular. In 89:42, dogs, boars, and foxes are mentioned, while verse 55 refers to lions, leopards, wolves, hyenas, foxes, and all beasts. Verse 59 mentions seventy shepherds, typically representative of a caring sort of profession, but in this instance the seventy shepherds, the symbol of all the alien peoples, are commanded to destroy some of the sheep in their care. Verse 66 refers only to lions, leopards, and wild boars, and v. 68 mentions all wild beasts. Cf. Nickelsburg, who states that the seventy shepherds represent seventy angels, but the number seventy is commonly used to refer to the Gentile nations; hence, Nickelsburg's assertion would indicate that the angels did not obey God's command, destroying more than He had instructed. This would suggest another rebellion of the angels, similar to that of the Watchers, which seems to me an unreasonable assertion. In verse 74 we find an expression that is not specific: wild beasts. In 90:1, new species of predators appear: eagles, vultures, kites, and ravens; in the subsequent verse 2, dogs, eagles, and kites devour the sheep. Verse 8 mentions only ravens, but vv. 11 and 13 mention eagles, vultures, ravens, and kites, while verse 18 refers to all beasts and birds. I

are the righteous and the wicked in this vision. From the text of 90:20–27, it appears that only the aliens—that is, the seventy shepherds—are considered sinners and that they are convicted because they oppressed the Jews more harshly than instructed. There appear to be no other accusations of wrongdoing against the Jews. In utter contrast to Qumran's vision, the Last Judgment in 90:20–27 relates only to the seventy nations, that is, the aliens.[63] Consequently, there could be no "rupture" between the alleged Enochians and the bulk of Israelite society. Considering the array of obscure images in the *Dream Vision*, any attempt at precise decoding and consequent historical and theological deductions seems to me unwarranted.

The identity of the "chosen righteous" versus that of the "wicked" and the precise nature of the sins are similarly undefined in *1 Enoch*.[64] The dilemma becomes even more pressing given Collin's suggestion that the group or movement that produced and transmitted the Enochic literature "is called the chosen righteous."[65] This assertion implies that the rest of the Israelites are the sinners, as Collins acknowledges by referring to "the distinction between this elect group and the rest of Israel." The entire opus contrasts the chosen righteous with the wicked sinners, in both the early and later segments, beginning with the Introduction of Enoch's motif in 1:8–9 and in 27:1–2. The function of the divine judgment is to grant

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suppose that the author did not concoct this list in a haphazard fashion, but I do not believe that we can reach any definite conclusion as to his intentions, because of the continual intermingling of the various predators throughout the text. The same applies to the identification of the twenty-three (89:72b) and thirty-five shepherds (90:1) and of the seven white men (90:21).

[63] Although 89:51–58 records the sins of the Israelites and their punishment, the Last Judgment relates exclusively to the aliens. Thus, at the time of the publication of this book, no accusations are made against the Jews and none will be judged in the Last Judgment; by contrast, Qumran foresees the annihilation of the Jewish sinners at the End of Days.

[64] Pierluigi Piovanelli, "'A Testimony for the Kings and Mighty Who Possess the Earth': The Thirst for Justice and Peace in the Parables of Enoch," in *Enoch and the Messiah Son of Man: Revisiting the Book of Parables* (ed. Gabriele Boccaccini; Grand Rapids, MI: Eerdmans, 2007), 363–379, asserts that the Parables, an integral part of the *1 Enoch* collection, speak for all of Israel against a common oppressor, the Romans. Daniel Boyarin, "The Parables of Enoch and the Foundation of the Rabbinic Sect: A Hypothesis," in *The Words of a Wise Man's Mouth Are Gracious (Qoh 10,12): Festschrift for Günter Stemberger on the Occasion of the 65th Birthday* (ed. Mauro Perani; SJ 32; Berlin: de Gruyter, 2005) 53–72 at 54–55, cites Piovanelli and agrees with his statement. According to these scholars, then, the righteous are the Jews and the sinners are the Gentiles, specifically the Romans in this particular period.

[65] Collins, "Theology and Identity," 57–62.

peace, mercy, and protection to the chosen righteous (1:8) and to destroy the wicked sinners (1:9). The same polarity runs through the entire book. Some examples: in 38:2, the righteous and chosen vs. the sinners; in 41:2, the chosen vs. the sinners; in 45:3, 5, and 6, the chosen versus vv. 5–6 the sinners; in 50:2, the sinners vs. the righteous, who are called the holy and righteous in v. 1; and so on.

One possibility is that the sins referred to are the mocking rejection of Enoch's teaching and/or the alteration and falsification of his books (104:10–11). Alternatively, if their sins are restricted to the few recorded misdeeds, such as speaking improper words against the Lord and being godless (27:2) or acting lawlessly, the precise character of these sins remains undefined. Moreover, the text enunciates many sins of varied types, as, for example, in 98:6, where it asserts that all evil deeds are revealed in heaven and none remain hidden, and in 104:7 that all sins are being written down day by day. These and other such pronouncements indicate violations of an elaborate code of do's and don'ts, which again presupposes an acceptance of the Mosaic Codex.

The suggestion that all Jews, except the Enochic group, are accused of the sin of idolatry in 99:7—late Enochic literature, when idolatry was no longer practiced in Israel—seems improbable.[66] The same is true of the other accusations, such as that the sinners acted violently and spoke improper words. There is little reason to believe that all the Jews of the period except the Enochic group would have committed these sins, although, of course, these sins may very well have been committed by individuals. The terms "chosen" and "wicked" do not constitute evidence of theological disputes, such as whether Enoch's "revelation is subordinated to it [i.e., to that of Moses]"[67] or Collins' affirmation that "the Enochic writings helped shape the worldview of that sect."[68] Rather, they denote those Israelites who obeyed the rule of the law versus those who did not.

The prophets' complaints and admonishments also related to the Israelites' failure to obey the Law, and there is no punishment for transgression of the law without prior communication of the relevant rules. In the absence of a Law, one is left with a central question as to the identity of the sinners mentioned in the entire book of *1 Enoch*: were they those

[66] See v. 6, which refers to "you sinners," and v. 7, which mentions "those who worship stones, and grave images of gold and silver."

[67] Collins, "How Distinctive," 31.

[68] Ibid., 33.

who did not believe in Enoch's revelation? Or, as I suppose, those who transgressed the Mosaic Law? The latter supposition is supported by an additional argument, postulated below.

One should also keep in mind that Enoch was written exclusively in Aramaic, which suggests that its target readers were the common people, who were not interested in complex theological issues.[69]

4.5.2. *A Sinner Can Only Be One Who Transgresses a Defined Law*

In the absence of a known law, there can be no notion of permitted and prohibited actions. Only if there is an explicitly stated law can there be a transgression and, by extension, a transgressor. In *1 Enoch* we do not encounter such rules. In contrast we have the case of Qumran, where accusations refer to specific transgressions, which are clearly defined in a complex codex of laws. The accusers believe that these laws have been wrongly interpreted by the people's religious leadership, so that, from this perspective, all Israelites are sinners, since they all act in accordance with these misinterpretations of the law. Moreover, the priests are accused of transgressing specific rules and are told of the severe consequences

[69] Most scholars agree that Enoch was originally written in Aramaic, in contrast to Qumran's philosophic/theological writings, which were written exclusively in Hebrew. Stanislav Segert, *Qumran-Probleme; Vorträge des Leipziger Symposions über Qumran-Probleme vom 9. bis 14. Oktober 1961* (ed. Hans Bardtke; Berlin: Akademie, 1963), 322–323, recognized that all the Qumran writings of certain Essene origin published in his time are in Hebrew, which was the official language of the Qumran community. Devorah Dimant, "4Q127: An Unknown Jewish Apocryphal Work?" in *Pomegranates and Golden Bells: Studies in Biblical, Jewish and Near Eastern Ritual, Law, and Literature in Honor of Jacob Milgrom* (ed. David P. Wright; Winona Lake, IN: Eisenbrauns, 1995), 805–813 at 805–806, writes that the Qumran writings in Aramaic "contain mostly narratives and pseudepigraphic visions, lacking the specific features attributable to the literature of the community," and concludes, "these facts strongly emphasize the importance of Hebrew as a vehicle of religious expression at Qumran." In a more recent article, "The Qumran Aramaic Texts and the Qumran Community," in *Flores Florentino: Dead Sea Scrolls and Other Early Jewish Studies in Honor of Florentino García Martínez* (JSJSup 122; ed. Anthony Hilhorst, Émile Puech, and Eibert Tigchelaar; Leiden: Brill, 2007), 197–205, she writes, "the Aramaic texts contain nothing of the specifically sectarian terminology or ideology" (199), noting that no Aramaic text deals with issues after the Flood and the Patriarchs (203) and that one should "consider these (Aramaic) texts [found at Qumran] as a specific group" (205). I may add here my observation regarding the striking difference between the style and esoteric content of 1Q20 (1QapGen ar), written in Aramaic, and the character of 1Q22 (1QapocrMoses[a]), written in Hebrew. Pinchas E. Lapide, *Hebrew in the Church: The Foundations of Jewish-Christian Dialogue* (trans. Errol Rhodes; Grand Rapids, MI: Eerdmans, 1984), 1, writes, "In the days of Jesus the common language of most Palestinian Jews was Aramaic … But Hebrew remained the language of worship,

for these transgressions. In the case of the supposed Enochians, an ideologically defined group, there is no clear codex of laws, and thus no place for transgression. This all changes if we assume that by the terms "commandments" or "the law of the Lord" (*1 En.* 5:4)[70] Enoch means the Mosaic Torah, with its complex and extended code of rules and ordinances, and that the sinners are those Jews who transgress these laws. Only with respect to the Flood does the term "sinners" indicate all of humanity.

4.5.3. *The Identity of Sinners in Boccaccini's Theory*

According to Boccaccini's theory, cited at the beginning of the study, the question of the identity of the sinners in *1 Enoch* and the precise nature of their sins is comparatively even more ambiguous. To wit, were the sinners the priests who married women prohibited according to the Enochic halakhah (which would imply that all other Jews were the righteous), or were the sinners those who rejected Enoch's teaching

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of the Bible, and of religious discourse; in a word, it remained the sacred language well into the period of the early church." In fact, when Qumran scholars used the Watchers' narrative as evidence of their ideology, they paraphrased its text in Hebrew (see CD II 18–19). Jack Poirier, "The Linguistic Situation in Jewish Palestine," *JGRChJ* 4 (2007): 55–134 at 57, writes, "Well before the first century CE, Aramaic established itself as the most widely used language in Jewish Palestine," specifying it as the "main vernacular." He also states that the translation of the Bible into Aramaic for use in the Synagogue, for the weekly readings, substantiates the thesis that the people did not understand the original Hebrew language. The Aramaic documents (some of which were reportedly found in Qumran) published in Hannah Cotton and Ada Yardeni, *Aramaic, Hebrew, and Greek Documentary Texts from Nahal Hever and Other Sites with an Appendix Containing Alleged Qumran Texts* (DJD 27; Oxford: Oxford University Press, 1997), are secular deeds, and Bar Kosibah's Aramaic correspondence demonstrates the popular use of Aramaic. The different styles of *Jubilees* and 4Q225, written in Hebrew, and Genesis Apocryphon, written in Aramaic indicate their different readerships. Joseph A. Fitzmyer, *The Genesis Apocryphon of Qumran Cave 1 (1Q20): A Commentary* (3rd ed.; Rome: Pontificio Istituto Biblico, 2004), 24, quotes Stanislav Segert's review of the first (1966) edition, *JSS* 13, 2 (1968): 281–282, and Antonio González Lamadrid, "Ipse est pax nostra," *EstBib* 28 (1969): 209–261, who argue against the Essene authorship of *GenApo*. Fitzmyer perceives this as a strong argument "because all the Qumran writings of certain Essene origin published as yet are in Hebrew." It is evident that the Aramaic text was created for the masses and the Hebrew for the intellectual segment of society. This would also explain the great number of copies of Enoch found in the Qumran Library; sermons for the masses require more copies than writings for the limited number of intellectuals. White Crawford, *Rewriting Scripture*, 9, writes that the presence of a large number of copies of a text in the Qumran collection is not evidence of its significance to the group, since this fact is "at least partly a matter of historical accident."

[70] See below nn. 76 and 77.

and focused instead on the Mosaic rules and commands? Alternatively, were they those who may have persecuted and applied violence to the Enochians for their beliefs in Enoch, or were they those who rebuffed Enoch's writings, probably in a mocking manner, as I hypothesized earlier (p. 179)? The identity of the sinners in *1 Enoch* is a critical issue with respect to Boccaccini's theory, just as Collins' conjecture that the core of the controversy was the Enochic Law of nature versus the Mosaic Law is central to his theory (see pp. 184–187).

4.5.4. *What Is the Source of Law in the Absence of Mosaic Revelation, and Who Was the Mediator of Law?*

If we presume that the Enochians disregarded the Sinai revelation after the publication of Enoch's writings because the latter were assumed to be anterior to the former, several questions arise. How did the divine laws, to which the prophets and the authors of *1 Enoch* implicitly refer, reach the people to begin with? Did the prophets and authors of the remaining books of Prophets and Hagiography have an alternative mythology regarding the revelation of the divine Law, particularly Isaiah 2:3 and Mic 4:2, who declare, כי מציון תצא תורה ודבר ה׳ מירושלים "The law will go out from Zion, the word of the Lord from Jerusalem"? How did the Torah reach Jerusalem, and who was the divine agent for its revelation? One could envisage that King Solomon was the agent for the revelation of the wisdom books, since their authorship is explicitly attributed to him, but the laws to which Isaiah and Micah refer have no clear source. On the other hand, if the Enochians believed in the Sinai revelation, then the entire thesis of an "Enochic Judaism" as scholars have perceived it, or what Collins calls a "distinctive form of Judaism,"[71] has no foundation.

It seems untenable that the Enoch mythology came into being before the appearance of Scripture, as Milik alleges,[72] for two reasons. First, although we do not know exactly when Scripture was composed and redacted, it is widely believed that the final form and content of the Pentateuch took shape much earlier than the third century BCE, the presumed date of publication of the first Enoch writing.[73] Second, we

[71] Collins, "How Distinctive," 33.

[72] See Milik, *Books of Enoch*, 31, who argues that Gen 6:1–4 refers back to 1 En. 6:19.

[73] The exact date of the Pentateuch's redaction in its final form is a debated issue, because its different segments from various times underwent a process of linguistic adjustments to simulate unity. However, for our purposes the common opinion—quoted by Steven B. Chapman, *The Law and the Prophets: A Study in Old Testament Canon Formation* (FAT 27; Tübingen: Mohr Siebeck, 2000), 235–236—that "a Pentateuch was

encounter Sabbath rules in Trito-Isaiah (56:2 and 66:23) and in the books of Ezra and Nehemiah; thus the Sabbath rules and similar primary regulations must already have been promulgated and practiced during this period,[74] and we do not encounter any hint of Enoch's declaring them in his writings or elsewhere.[75]

Thus, it seems most reasonable to attribute this "lawgiving" to Moses, whose exalted mythological status as intercessor between God and Israel is pointed to throughout the books of the Prophets. Enoch, in contrast, disappeared from the Israelite horizon without leaving any trace, until the late appearance of his writings in the third century BCE. (While one should assume that Trito-Isaiah was also written before *1 Enoch*, there is no doubt that Jeremiah and Micah preceded the publication of this text.)

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largely formed by the period of its redaction (400–300 BC)" suffices. It is assumed that Ezra and Nehemiah redacted the Pentateuchal text in its current form, since they refer to it often (see Ezra 7:6, Neh 8:1–8, and many others). In Paul Heger, "Unabashedly Reading Desired Outcomes into Scripture: Jewish Reaction to External Encroachment on Its Cultural Heritage," in *Vixens Disturbing Vineyards: Embarrassment and Embracement of Scripture, Festschrift in Honour of Harry Fox (leBeitr Yoreh)* (ed. Tzemah Yoreh et al.; Boston: Academic Studies Press, 2010), 96–139 at 118–124, I suggest that Ezra and Nehemiah may have adjusted the biblical texts relating to the character of the Feast of Booths (Neh 8:14) and the prohibition on absorbing Ammonite and Moabite converts (Neh 13:1–2). James A. Sanders, *Torah and Canon* (Philadelphia: Fortress, 1972) 51, writes that "the book of the Law of Moses, brought by Ezra from Babylon was the Torah as we ourselves know it today." Von Rad, 390, goes much further: "It is beyond question that God's will as expressed in law was announced in Israel as early as the earliest stage of Jahwism." Since Scripture was not yet canonized, I would rather endorse Joseph Blenkinsopp's assertion, in *Treasures Old and New: Essays in the Theology of the Pentateuch* (Grand Rapids, MI: Eerdmans, 2004), 240–241, that it continued to evolve with minor variations. The translation into Greek, the Septuagint, in its present form, assumed to have been made at the time of Ptolemy II Philadelphus in the early part of the third century BCE, as stated by Alfred Rahlfs, *Septuaginta* (Stuttgart: Deutsche Bibelgesellschaft, 1979), xli, requires that the text of the original Hebrew version was already well established and diffused in Judah and the Diaspora before that period.

[74] Ezra and Nehemiah record other holidays and their institutionalized offerings, rules of tithes, and sacred divisions between priests, Levites, and lay people. Nehemiah mentions laws, regulations, decrees, and commandments given by the Lord at Sinai (Neh 9:13), as well as the mythologies of Abraham, the Exodus and the parting of the sea, the wanderings in the desert with their miracles and misdemeanours, and so on. Although Scripture was not yet finally redacted, these books testify to readings in the book of Moses (Neh 8:1 and 13), and Ezra receives a command from Xerxes to teach the Jews the laws of God and to ensure their fulfillment (Ezra 7:12–26).

[75] Nickelsburg, "Enochic Wisdom," 126, perceives the sins in *1 Enoch*, parallel to the laws and commandments of the Mosaic Torah, as reflecting its roots in the sapiential tradition, a perversion of God's created world order. I wonder how one could expect humans to deduce from the "laws that govern the heavenly bodies" the prohibition against sexual promiscuity, violence, or consuming blood. Enoch's accusation of lawlessness

4.5.5. *Collins' Proposition of the Source of Law and Its Rebuttal*

Collins attempts to resolve the problem of the source of Law by asserting that the text "the law of the Lord," in *1 En.* 5:4, in his version, "suggests that this is the law of creation, or of nature."[76] However, Nickelsburg's translation gives "commandments" in 5:4 and 99:10, a term that indicates laws given to humans, not an intellectually deduced regimen.[77]

Collins' term "Law of Nature" denotes scientific principles such as Newton's law of gravitation, his three laws of motion, the ideal gas laws, Mendel's laws, the laws of supply and demand, and so on. I assume that he refers rather to Natural Law, a term embodying the theories of ethics, politics, civil law, and religious morality, and I will relate to this correct expression. In the same vein, Tertullian—like Paulus—argues against the Jewish belief that one must perform the ritual precepts commanded in the Old Testament (circumcision, keeping the Sabbath,

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and iniquity (99:15) indicates defined rules and criteria of iniquity; how are these and the wickedness of pride (5:8) related to the regular movements of the luminaries? Even murder cannot be deduced to be against the cosmic order. We know that primitive man, who perceived himself as an element of the world, had no hesitation in practicing homicide. The Torah permits the killing of enemies and evildoers; *1 En.* 91:12 fosters the plausible execution by sword of the wicked, to be performed by the righteous, and 99:12 portrays it in a most vivid style: "they will cut off your necks."

[76] Collins, "How Distinctive," uses Michael Knibb's translation of the Ethiopic text (*The Ethiopic Book of Enoch, Volume 2: Introduction, Translation, and Commentary* [Oxford: Clarendon, 1978], 65), which demonstrates the connection of Enoch with the Mosaic law; he then disputes this connection, however, because, in his opinion, the context "suggests that this is the law of creation, or of nature, rather than specific commandments given to Moses on Mt. Sinai" (30). George W.E. Nickelsburg and James C. VanderKam, *1 Enoch: A New Translation* (Minneapolis, MN: Fortress, 2004), translate the Greek phrase οὐδὲ ἐποιήσατε κατὰ τὰς ἐντολὰς αὐτοῦ as "nor acted according to his commandments," and relates it unquestionably to humans, not to stars; the term "commandments" must refer to some defined code revealed to humans, not deduced from the laws of nature. An older translation from Ethiopic by Richard Laurence uses the same term, "commandments," in verse 5:4, and the context similarly indicates defined commands. In the antecedent verses that compare the obedience of the Luminaries to the disobedience of humans, this refers to explicit commands. In 5:2 we read, "they all carry out his word," and in 5:3, "do not alter their works from his words." The terms "words" and "commands" unquestionably indicate precise and defined given commands, and Collins' text, "the law of the Lord," must also be understood from the context as "commands." Thus, we observe that different translations offer different interpretations on significant issues.

[77] Nickelsburg, "Enochic Wisdom," 128, writes, "Thus, revealed wisdom [by Enoch] is a comprehensive category that includes revelation about God's will expressed in commandments and laws about the blessings and curses etc." There is no doubt that there is ample evidence in *1 Enoch* for the second element of his statement, regarding the blessings and curses, but nowhere is there evidence of the first, regarding the laws; no commandments appear in the text.

etc.) in order to be a righteous person. As evidence, he adduces the example of Enoch, who did not perform these precepts (because he lived before Abraham and before Sinai) yet was such a righteous man that God took him up to heaven; hence, Tertullian concludes, the precepts are not necessary to be righteous—only fulfillment of the Natural Law.[78] Further, it is not plausible that an author who states that the stars are independent, animated entities endowed with free will, and are punished for their transgressions (*1 En*. 18:14–16), would also reflect on such subtle philosophical questions as the Natural Laws and would accuse his readers for failing to grasp "the unwritten law of nature, by means of his own reason," as Philo states that Abraham did (according to Hindy Najman's interpretation).[79]

This is especially so in light of the assertion that Enoch transmitted to the world his knowledge about the movement of the Luminaries, "which is beyond their thought" (82:2). This astrophysical knowledge, widespread in Mesopotamia at the supposed period of Abraham, is unquestionably easier to grasp than Philo's attribution to Abraham of highly sophisticated philosophical achievements.

The term "Natural Law" refers exclusively to ethical rules of behavior, that is, social laws. Ritual law, unlike the natural law, cannot be grasped through philosophical considerations.[80] Thus, ritual laws such as those pertaining to the Sabbath precept were undoubtedly well known in Israelite society before the publication of Enoch. *Jubilees* asserts that Abraham attained the belief in one Supreme God by observation of

[78] Tertullian, *Adversus Judaeos* 2, denies that the Laws of Moses are the requirement for righteousness. He contends that the fathers were righteous because they kept the natural laws, which they understood naturally. He particularly singles out the evidence of Enoch, uncircumcised and unobservant of the Sabbath, who was nevertheless a most righteous man, a candidate for eternal life, pleasing God, without the burden of the Laws of Moses.

[79] Hindy Najman, *Seconding Sinai: The Development of Mosaic Discourse in Second Temple Judaism* (JSJSup 77; Leiden: Brill, 2003), 128.

[80] Rabbinic literature recognizes two types of rules: those that can be grasped by humans without revelation, but which were nevertheless awarded divine confirmation at Sinai, thus bestowing on them the authority of divine commands whose transgressions are punishable; and ritual laws, which became known solely through revelation. We read in *Mek. R. Shim*. ch. 15, "[It is written in Exod 15:25]: 'There the Lord made a decree and a law for them': the decree is [to keep] the Sabbath, the law is to honor father and mother; these are the words of Rabbi Joshua. Rabbi Eleazar Hamodai says: *decree* refers to the forbidden sexual contacts, as it is said: 'keep my ordinances, etc.' (Lev 18:30) and *law* refers to rules about rape, injuries and fines." Later Jewish traditional commentators and philosophers elaborated upon this axiom.

cosmic manifestations (*Jub*. 12:16–19),[81] similar to *1 Enoch*'s exhortation (*1 En*. 2:1–5:4), and that he brought the various offerings according to the ordinances subsequently revealed at Sinai.[82] Even though Philo attempts to explain many scriptural ritual rules through allegory,[83] he is motivated by an interest in the significance and intention behind these laws. I find it unlikely that Philo would have meant to imply that Abraham grasped all the details of the Torah's practical and even ritual ordinances through his philosophical ponderings.[84] Rather, Philo points out that Abraham recognized the uniqueness of God and the obligation to obey Him and the subsequently commanded divine ethical laws. His intellectual ponderings did not, however, help him to grasp, for example, the ritual precept of circumcision, which, rather, was explicitly commanded to him by God.[85]

We encounter in *1 En*. 8:3 a condemnation of divinations by signs, sorcery, and magic. Such a prohibition cannot be grasped by meditation on Natural Law; the Mesopotamian Codex, founded on Natural Law, does not prohibit these activities, which, as we know, were practiced in Mesopotamia.

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[81] We encounter a *midrash* similarly asserting that Abraham attained by observation the belief in one Supreme God, the Master of the world, in *Gen. Rab*. 39:1.

[82] See section 2.2.1 above on the unique status of the Patriarchs with respect to the revelation of the ritual laws.

[83] See, for example, his allegorical explanation of the Passover holiday in Philo, *De Specialibus Legibus* II:150–156. On the other hand, it is remarkable that the rabbis explained the reason for the concealment of the divine decrees: they perceived the enigmatic motive of these decrees as an advantage to their being obeyed. We read in *b. Sanh*. 21b that Solomon transgressed two commands (1 Kgs 18:29 and 11:1–4), one prohibiting the king from returning to Egypt to procure many horses and the other forbidding him to marry many women (Deut 17:16–17). Scripture indicates the motivation behind both prohibitions, yet this did not prevent Solomon from transgressing either one. Rather, since he knew the reasons for the prohibitions, he felt confident that he could "handle" the trial, so to speak. Ultimately, of course, he failed.

[84] For example, we encounter the rules of the Festival of First Fruits and its offerings in *Jub*. 15:1–2 and the Festival of Booths in *Jub*. 16:20–25, where it is indicated that Abraham performed them.

[85] The precept of circumcision was commanded by God to Abraham: "This is my covenant with you and your descendants after you, the covenant you are to keep: Every male among you shall be circumcised" (Gen 17:10). According to Gen 26:5, Abraham fulfilled all the precepts as instructed to him by God: "Because Abraham obeyed my voice, and kept my charge, my commandments, my statues, and my laws." The citation of the term "my voice" and the enumeration of all types of ordinances indicate that he was commanded by God to fulfill all the scriptural precepts. This is how *m. Qid*. 4:14 and *b. Yoma* 28b interpret the verse; *b. Yoma* contends that Abraham fulfilled even those precepts that were instituted by the rabbis.

Moreover, Philo elsewhere attributes this sublime spiritual capacity to Abraham alone, not to any other human being. We read in Philo's portrayal of the Essenes that "they devote all their attention to the moral part of philosophy, using as instructors the laws of their country which it would have been impossible for the human mind to devise without divine inspiration."[86] According to my reading, this statement refers to the Mosaic laws, received by Moses thorough divine inspiration; Philo is arguing that the Essenes deduced their philosophy from these laws but were unable to devise the laws by their philosophy.

Hence, the author of *1 En*. must have relied on the Mosaic Torah, which forbids these practices.

4.5.5.1. *The Relationship of Natural Law (Law of Nature) to Mosaic Law, According to Philo, and Its Adaptation to* 1 Enoch*'s Mode of Thought*

Philo's approach is similar to that of the rabbis in the sense that there are two distinct types of laws—Natural Laws, that is, laws that could be grasped by humans, and revealed laws, which could not be grasped by human considerations.[87] The two approaches are incompatible, however, in their underlying philosophies. Judaism, as we observe from rabbinic literature, has not acknowledged the Hellenistic philosophy in this respect.[88] Najman's pursuit is, according to my reading, the exposition of Philo's intent to demonstrate to his Hellenic readers that the "Law of Nature [really Natural Law][89] is embodied by written Mosaic Law,"[90] implying that the Mosaic Law is not against what Najman calls the Law of Nature (really Natural Law) but, rather, encompasses it. The subsequent clarification that the Mosaic Law is "stamped, as it were, with the seals of nature itself,"[91] and that "the pentateuchal and extra-pentateuchal traditions were authoritative because they were congruent with Natural Law,"[92] seems to confirm this notion. Najman's clarification, however,

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[86] Philo, *Quod omnis probus liber*, § 80.

[87] Cited on p. 185, n. 80.

[88] See a more extensive deliberation on this topic in chapter 3, "The Attribution of Modern Concepts to Authors and Readers of Ancient Texts."

[89] Collins consistently uses the erroneous term "Law of Nature," as does Najman, except in *Seconding Sinai*, 132, where she uses the correct term "Natural Law." In quoting Collins and Najman, I use the terms as they appear in the original texts, whereas I use the correct term "Natural Law" in making my own arguments. I ask readers' indulgence for the apparent confusion that may result.

[90] Najman, *Seconding Sinai*, 129–130.

[91] Ibid., 130.

[92] Ibid., 132.

does not concur with Collins' assertion that the term "embodies" means that "the law emanating from Sinai may be viewed as a formulation of the law of nature [really Natural Law]."[93] The two laws are independent entities, though the Mosaic Law contains within it the principles of the Natural Law,[94] as Najman explicitly writes. In her exposition on this issue, she writes that Philo's goal was to validate the authority of Mosaic Law by proving its "unique relationship to the law of nature."[95] The term "relationship" does not express the idea that one entity is the "formulation" (that is, an expression of a precise form) of the other, and Najman emphasizes the Mosaic Law's uniqueness, specifying that the nature of this relationship "distinguishes the Mosaic Law and its authoritative inherited interpretations from the laws of all other nations."[96]

The assumption that the authors/editors of *1 Enoch* had such a philonic type of Natural Law (erroneously called "Law of Nature") in mind with respect to the Law of the Lord seems to me unrealistic. As asserted above (p. 105), the fantastic nature of *1 Enoch* is the antithesis of Philo's exposition based "on the cutting edge of philosophical thought," as asserted by Najman and corroborated by her references to other scholarly opinions on this issue.[97] Further, Najman's assertion that that the idea of a Law of Nature emerged in Greek thought only in the first century CE[98] would make it chronologically impossible that the authors of *1 Enoch* could have acquired their philosophical reflection of this issue from Greek sources. Further, as VanderKam states, "appeal to natural order as a foundation for parenesis is unprecedented in the OT," and it is not plausible that this approach would have been used by the authors of *1 Enoch*.[99]

4.5.5.2. *The Absence of Ritual Laws in* 1 Enoch

As I have noted above, we do not encounter any trace of commands by Enoch, not even about circumcision or the building of the Temple and its complex ordinances that appear in Scripture.[100] There is no doubt that

[93] Collins, "How Distinctive," 30.
[94] Here Najman uses the correct term "Natural Law," rather than the erroneous expression "Law of Nature."
[95] Hindy Najman, "Law of Nature," 56.
[96] Ibid., 56.
[97] Ibid., 57.
[98] Ibid., 58.
[99] VanderKam, *Enoch and the Growth*, 120.
[100] Nickelsburg, "Wisdom," 126, writes, "nor can one find reference [in *1 Enoch*] to issues like Sabbath observance, the honoring of one's parents, the rite of circumcision,

the authors of Enoch believed in the precept of circumcision and in the commands to build the Temple, to safeguard its holiness and that of its clerics, and its complex cult of offerings, as appear in Scripture. Collins admits that *1 En*. 89:73 criticizes the defective conduct in the Temple and sees this as implying "a rupture" in Judaism at that time.[101] However, one's conduct can only be wrong if it goes against precise instructions. Since it is unquestionable that these precepts, like all other ritual rules, cannot be derived from Natural Law, Collins must ask himself when and by whom these rules were revealed and elaborated upon, unless he alleges that the Enochians ceased to fulfill the precepts of circumcision, the Sabbath, and similar ingrained rules solely because these rules are absent from the writing of Enoch; but the rules of the Temple, which are criticized in Enoch, as Collins admits, cannot be deduced by contemplation of Natural Law. It seems evident that the authors would have known and cherished the narratives and ordinances recorded in the Mosaic Torah, and they must have relied on their readers' awareness of these commands from sources other than their "revelation."

Obedience to the laws of nature is binding on all humanity, not specifically the people of Israel. Violence, sexual misdemeanours, and blasphemy are antithetical to Natural Law, as Collins also argues.[102] Thus, if, in fact, Enoch disregarded the Mosaic Law, professing instead the natural laws, it seems reasonable to suggest that his prophecies regarding the judgment refer to Gentiles and Israelites alike—particularly since there were no Israelites before the Flood, or before the destruction of Sodom and Gomorrah. *1En*. 60:1–67:3 and 83:1–89:8, foretelling the Final Judgment and the destruction of the sinners and salvation of the righteous at the Flood, do not relate to Israelites, and neither do the prophecies of the later periods. As mentioned earlier, the sinners and the righteous are not explicitly identified in *1 En*; only in the second part of the Second Dream Vision, from *1 En*. 89:9 onward, do we encounter the

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and the full range of cultic laws." On the other hand, he misses the fact that honoring one's parents is an obligation that one could grasp by Natural Law. The rabbis discerned between the concepts of חוק decrees without a perceived reason and משפט laws with a reason that one could grasp without a divine command. We encounter in *Mek. Beshalakh Mas. De'Vaiisa parsha* a dispute regarding examples of their classification. One Tanna considers the Sabbath laws to fall into the first category and honoring one's parents into the second, while the other perceives the sexual laws as belonging to the first and rape and corporeal and financial damages to the second.

[101] Collins, "How Distinctive," 20.

[102] Ibid., 24.

author's implicit suggestion that the sinners are Israelites. We should keep in mind, however, that although the *Book of Dreams* does not originate from the same author as the other books, the editor who compiled the different writings into one book did not perceive contradictions between its many elements, as he wanted his readers to believe that the entire book was written by the ancient Enoch. Thus, it would make sense to assume that the editor and his readers understood *1 Enoch*, and particularly the Judgment and prophecies, as referring to all humanity, and not specifically to the Israelites. In fact, it is remarkable that Nickelsburg and VanderKam, in their list of the contents of *1 Enoch*, classify the Second Dream Vision as "The History of Humanity," a description that does not apply specifically to Israel.[103]

4.6. Conventional Mosaic Law Known from Another Source

4.6.1. *Substantiation of Theory*

There is no doubt that the authors of Enoch believed in the precept of circumcision, in the Sabbath rest, and in the commands relating to the Temple.[104] As stated earlier, since *1 Enoch* does not convey commands and rules of conduct, one must proffer a plausible answer to the question of the source of Law. I will first attempt to substantiate the affirmation that Enoch does indeed refer to a Law Codex, and then elucidate the motive for *1 Enoch*'s lack of explicit references to it.

The *Astronomical Book*, in its polemic against those who err in their calculations of the year (82:4–8), must be referring to the correct establishment of those holidays during which work is prohibited and, perhaps more importantly, when specific rituals must be performed.[105] This

[103] Nickelsburg and VanderKam, *1 Enoch*, v.

[104] Both Collins and Boccaccini perceive a criticism of the defective conduct in the Temple.

[105] See Elliott, "Covenant and Cosmology," 29, who writes that the Astronomical Book was not written for scientific purposes. Collins, "Theology and Identity," 59, contends that the astronomical segment of Enoch "was not composed to address the inner Jewish dispute about the calendar. It was a correction of its Akkadian prototype"; hence, in his opinion, it was written for scientific purposes. The term "[the people] err" would not have a religious undertone. While it is true that the author does not specify who are the people who err, and does not call them sinners, it seems odd that the editor of *1 Enoch*, a composition so fervently dedicated to furthering religious piety, would include a scientific book in his collection. Moreover, we read in 4Q227 (4QpsJub^{c}?) 2:4–6: "And he wrote

explains why such miscalculations were considered to be grave sins. Were it not for the possibility of transgressing work prohibitions during the holidays or failing to perform mandated rituals during a given holiday, calendric miscalculations would not be considered sinful, despite Collins' allegation that the sins in *1 Enoch* are transgressions of the laws of nature. As *1 Enoch* contains no commands relating to holidays and their precise dates and particular ordinances, the authors must be relying on the fact that these rules are known from some other source.

In *1 En.* 99:2 we read that the wicked "alter the true words and pervert the everlasting covenant." This accusation is repeated in 104:9–10 in stronger terms, and these verses add that the wicked alter and copy the words of truth, pervert the masses, lie, and invent fabrications. These texts are similar to Qumran's accusations, which suggests that these accusations, too, must refer to the incorrect interpretation of some familiar rules.[106]

If Enoch in fact did not accept the Torah, and was not presuming prior knowledge of its laws and ordinances, we would have to assume that all the prophets, except Malachi, referred in their exhortations to some other, undisclosed esoteric source of the Law, on which they based their messages. Yet there is no mention anywhere in Enoch or the Prophets of another book of rules, other than the Hagy (mentioned in Qumran literature), whose content we do not know. Even rules based on Natural Law, as Collins suggests, must be written somewhere, as is the case with the Code of Hammurapi and other Cuneiform laws. No such code is hinted at, however, nor has any been found.

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all the [. . .] sky and the paths of their host and the [mon]ths [. . . s]o that the ri[ghteous] should not err," indicating that Qumran did indeed consider this to refer to the internal Israelite calendric dispute. We read in *Jub.* 4:17–18 the claim that Enoch was the first "who wrote down the signs of heaven according to the order of their months in a book, that men might know the seasons of the years according to the order of their separate months," a text that also points to a religious purpose and function for Enoch's astronomical writing. Martha Himmelfarb, "From Prophecy to Apocalypse: The Book of the Watchers and the Tours of Heaven," *Jewish Spirituality* 1 (1986): 145–165, also discusses the correct interpretation of this phrase. For our purposes, the intention of the original authors is not important; how the editor and the readers of the book understood its purpose is of more crucial significance.

[106] We read, for example, in CD I:18–19, "For they had sought smooth interpretations, choosing travesties of true religion; they looked for ways to break the law." The wrong interpretations are linked to lies, as we observe in 1QH^{a} X:17–18: "against those who seek smooth interpretations, [so that all] the men of deceit." Similarly, we read in 4Q169 (4QpNah) 3–4ii:2, "the Seekers-after-Smooth-Things at the end of days, that the[y will] conduct themselves in 'deception' and falsehoo[d]."

4.6.2. *Supporting Arguments from Other Sources That Omit Citation of the Law*

4.6.2.1. *Qumran Literature*

We observe a similar approach in Qumran literature:[107] in most of their halakhic dicta,[108] in the explicitly[109] and implicitly polemic[110] instances, there is no indication of the underlying biblical source. Even when the terms כתוב[111] or אמר[112] ("it is written" or "it is said") are used, although the biblical support is alluded to, no full citation is given, which may leave the reader in doubt as to whether it represents a careless supporting quotation or an accurate understanding of the original biblical verse.

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[107] I will quote some examples from the two halakhic writings, MMT and CD, according to the arrangement of García Martínez and Tigchelaar, *Dead Sea Scrolls Study Edition*.

[108] The various Sabbath rules in CD-A X:20–XI:17a do not indicate any biblical support, nor does the polemic rule of 4Q394 (4QMMT[a]) frg. 8 IV:12 about the fruits of the fourth year.

[109] For example, in 4Q394 (4QMMT[a]) frg. 3–7 I 4:12 and 16, a number of definitely polemic halakhot are declared without any biblical support. The polemic halakhah in lines 13–14 may appear to indicate biblical support, which is extremely confused, since it appears to declare that the חלבים "the fat" should be consumed. In my opinion, the prohibition against saving a man's life by using a rope or a ladder on the Sabbath (CD-A XI:16–17) is based on the fact that there is no biblical support allowing the desecration of the Sabbath, even to save a life; see my arguments in Heger, *Cult*, 139–142, against Doering's and other scholars' opinions that Qumran allows it. At any rate, this rule is polemic, since according to rabbinic rule, and plausibly according to Josephus' records, there were no restrictions, after the Maccabean revolt, on the methods one could use in order to save a person's life; every efficient method is permitted.

[110] The implicitly polemical CD-A VI:18b–VII:1 does not cite any biblical support. 4Q394 (4QMMT[a]) frg. 8 iii 19b–IV:4, prohibiting a deaf Israelite, as it seems, from entering the Temple precinct, does not indicate any biblical support. Lev 21:17–23 relates only to a prohibition against blemished priests' serving in the Temple: they must not approach the altar and the curtain to the Holy of Holies, but they are not impure and may eat the holiest offerings, offered by their brethren the priests. The rabbis included in this prohibition also the deaf and dumb, not those who were only deaf, because this is not a visible blemish. This rule is implicitly polemic.

[111] 4Q396 (4QMMT[c]) IV:5 does not indicate the relevant scriptural verse. See E. Qimron and J. Strugnell, *Qumran Cave 4. V: Miqsat Ma'ase ha-Torah* (DJD X; Oxford: Clarendon, 1992), 55. Bernstein, "Employment and Interpretation," 45, suggests that it is a paraphrase of a biblical citation. 4Q394 (4QMMT[a]) frg. 8 iii:8 has a *vacat*, but it does not seem that there was originally a biblical quotation after the term והדבר כתוב. On the other hand, 4Q394 (4QMMT[d]) frg. 14–21:6 quotes a biblical verse that does not refer to the subject of the quoted rule.

[112] From the text of CD-A X:9–10 one could envisage which biblical verse it refers to, but one cannot declare that it represents the divine words, implied in the term אמר. Moreover, the beginning of the alleged assertion does not appear in the presumed biblical verse; CD-A XVI:10 does not represent the biblical text.

The expressions אנו חושבים[113] and אנו אומרים,[114] without any biblical support, demonstrate an accepted system of writing. Fraade wonders about this peculiarity,[115] but I see it as the logical outcome of Qumran's interpretive method. Since their interpretation of the known biblical commands was clear to them,[116] and thus (they would have assumed) also to their opponents,[117] citations were superfluous even in their polemic writings.

Similarly, the *Temple Scroll*, which is filled with a great variety of rules and regulations, contains no mention of the prohibition against working on the Sabbath and on holidays (except for the Day of Atonement). Nobody speculates that its author, who does not mention Moses' Torah or Sinai in his great opus, ignored these rules or did not accept them as obligatory. He simply did not feel the need to write about all the Mosaic rules and ordinances. We should also keep in mind the *Enoch* authors' intention to ensure the credibility of their writing as an authentic record of the biblical Enoch. Any explicit mention of Moses and Sinai could potentially have revealed the fraudulence of their course of action.[118]

Thus it is clear that, when discussing a particular issue in Judaism, authors typically rely on their readers' familiarity with the Torah, including its mode of revelation, which absolves the authors of the need to explain and substantiate every detail of their arguments. If this were not the case, the writings would be impossible to understand. Indeed, how would Enoch's readers know what is right and what is wrong, what is moral and what is immoral? Certainly his readers could not have known that fornication is an immoral act and a mortal sin, since sacral prostitution, for example, was practiced in ancient times and fornication was not perceived as an immoral act in surrounding cultures. Mosaic Law, however, does prohibit such behavior (Deut 23:18). In the Code of Hammurapi, illicit intercourse with a married woman is perceived as a civil injury against her husband, and while the betrayed husband can ask for her execution, he may also choose to forgive her mischievous deed and

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[113] See 4Q394 (4QMMT[a]) frg. 3–7 ii:16 and 4Q397 (4QMMT[d]) frg. 5:3.

[114] See 4Q394 (4QMMT[a]) frg. 8 ii:5 and 4Q396 (4QMMT[c]) IV:2.

[115] Fraade, "Legal Midrash," 69.

[116] Fraade, "Narrative Midrash," 64, suggests that the different forms of Qumran and rabbinic writings may be due to the distinct characters of their intended audiences.

[117] Bernstein, "Employment and Interpretation," 43: "The author of MMT believes that the correct interpretation of the biblical text" corresponds to their halakhah regarding the rules of the leper in the MMT, in which the expression כתוב appears.

[118] See section 2.1.2 above on Collins' contrary arguments and my response.

save her life and that of her adulterer.[119] Biblical law, however, perceives adultery as a sin against God and allows for no such clemency. The same applies to murder: in the Code of Hammurapi, the family of the victim can choose to receive compensation and renounce the capital punishment of the murderer, but Mosaic Law precludes such monetary compensation for murder (Num 35:31).[120]

The absence of biblical citations in matters of halakhic reasoning and polemics demonstrates that knowledge of these sources was taken for granted. We find an analogous attitude in the rabbinic literature. The *Gemara*, in its analysis of the rules of the *Mishnahs* and their sources, never asks such questions as, Wherefrom do we know that one must not work on Sabbath or that one is obligated to dwell in a booth on Sukkoth? The relevant biblical verses for these principles are well known and do not require citation, whereas the specific works prohibited on the Sabbath or the rules for building the booth, neither of which appears in Scripture, require full disclosure of their assumed biblical sources.

Similarly, the authors of *1 Enoch*—whose function, like that of the prophets, was to produce correct and lawful behavior among its readers—did not need to enumerate the specific laws and their sources; rather, they could assume prior knowledge on the part of their intended readers. The author of the *Dream Vision* relies on readers'/listeners' knowledge to identify the names of the individuals involved in the miracle of the Exodus from Egypt (89:7–27), for example, and the splitting of the sea, as well as the Sinai narrative and the sin of the Golden Calf. The authors of the other Enoch writings applied an identical literary style, omitting the Sinaitic revelation but relying on the well-known Mosaic Torah in which these narratives are fully portrayed.[121] On the other hand, we observe that the author of the *Dream Vision* (89:7–27) clearly mentions Moses' leadership role during the revelation of the Torah at Sinai, which contradicts the allegation that the "Enochic group" marginalized the significance of Moses and the Torah. While it is commonly assumed that

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[119] Martha Roth, *Law Collections from Mesopotamia and Asia Minor* (SBLWAW 6; Atlanta: Scholars Press, 1995), 105, LH ¶ 129.

[120] See Paul Heger, "Source of Law in the Biblical and Mesopotamian Law Collections," *Biblica* 86 (2005): 324–342. See also Herodotus, *The Histories*, I:199, on women's offering themselves to sanctuaries in consequence of a vow.

[121] Knibb, "Enoch Literature," 202–203, records that at the Enoch Seminar, Devorah Dimant, who took part in the first panel (though she did not present a paper), observed that "all Second Temple Jewish groups accepted the Torah as authoritative and that is perhaps why the authors of the Book of the Watchers felt no need to refer to the Torah."

the *Dream Vision* originates from a distinct author, it seems unlikely that the editor/redactor who compiled the various works to produce the illusion that the different components were generated by a single author would have been unaware of divergent attitudes toward critical issues expressed in those different elements. His readers—who allegedly founded a separate theology, "Enochic Judaism," on the basis of this inconsistent writing—would also have been aware of these differences, and this would have precipitated doubts about the authorship of the antediluvian Enoch. For the same reason, the authors were compelled to conceal explicit allusions to the Mosaic Torah. Moreover, I do not believe that it is essential to reveal references to Moses and Sinai in *1 Enoch* in order to prove that there was no rivalry between Enochic and Mosaic Judaism, just as it is not necessary to reveal such references in Ezekiel, who displays an affinity with Enoch, in order to deny an "Ezekielic Judaism" in which Moses and Sinai are not acknowledged. The same is true of the Wisdom Books.

4.7. Disputing the Existence of a Defined Enochian Group

It is quite clear that an Enochic literature existed, whatever it may have represented and to whatever degree it was or was not accepted. But I will argue that there has never been anything like an Enochic Judaism, that is, a distinct Israelite group subscribing to an ideology opposed to mainstream Israelite beliefs. For the most part, I will focus on contesting Collins' study, which is similar in its arguments and consequence to other scholarly theses on this subject.[122]

In the zealous environment of Israel at that period, it is difficult to imagine any degree of tolerance between two groups with divergent doctrines of such crucial importance, particularly when we examine the relationship between the Qumran group and the bulk of Israelite society during this period. It seems obvious that the ideological and the consequent practical differences between the supposed Enochic school and its opponents would have been much wider than those between the Qumran group and their opponents. Qumran challenged what it believed to be wrong interpretations of the Mosaic Law, but the Enochic group, supposing that such a group existed at all, was bent on undermining

[122] Collins, "How Distinctive," 31.

Mosaic Law altogether.[123] In fact, Bedenbender is aware of the schism between the two dogmas and refers to this as "the rivalry between pre-Maccabean Enochic Judaism and Mosaic Judaism."[124] Such an approach to the issue of Enochic theology raises questions about why the Qumran group (devout believers in the Mosaic revelation) would have preserved a "heretical" writing such as Enoch in its library. This question becomes even more acute in light of Nickelsburg's statement that the phrase "who lead many astray with their lies" (98:15) refers to "Torah that stands in opposition to Enoch."[125] Certainly, Qumran would not have tolerated a text that explicitly accuses those who follow the Mosaic Torah of being led astray by lies. The same is true for the rabbis; the Book of Enoch was rejected by the Jews after the advent of Christianity because it was seen as containing "a prediction of Christ's advent,"[126] but Enoch was nonetheless considered a righteous person. The rabbis were familiar with Enoch's text and would have dismissed it as heresy if they had understood it to be promoting Enoch's revelation in place of the Torah.[127] If the rabbis, who were extremely vigilant to eliminate any text that did not utterly conform to their doctrines, did not suspect Enoch of such intent, it is only reasonable to assume that the book's other readers would also not have gleaned such meanings from the text. Projecting this kind of thinking on the editor of *1 Enoch* and on its readers goes against logical considerations and suggests interpretations based on preconceived ideas.

One also wonders why there is no explicit Enochic challenge to the Mosaic Law in Israel, along the lines, for example, of Qumran's vehement protests against perceived misinterpretations of the Law. Collins aptly observes this peculiarity, noting that "at no point is there any polemic against the Mosaic Torah";[128] but he does not seem baffled by this omis-

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[123] A relevant rabbinic dictum is noteworthy. We read in *m. Hor.* 1:3, "[The Bet Din taught]: to obliterate the main corpus [of the Torah for example, by] pronouncing that there are no menstruation rules in the Torah, [or] there are no Sabbath rules in the Torah, [or] there are no rules against idolatry [has the following consequences . . .]." Thus, to deny fundamental precepts of the Torah is to obliterate it in its entirety.

[124] Bedenbender, "Traces," 44.

[125] Nickelsburg, "Enochic Wisdom," 128.

[126] *Tertullian on Women and Fallen Angels*, ch. 3, "Concerning the Genuineness of the Prophecy of Enoch," reprinted in John Kaye, *The Ecclesiastical History of the Second and Third Centuries: Illustrated from the Writings of Tertullian* (London, 1845) at 306.

[127] In *Gen. Rab. parsha* 25 we encounter an opinion that Enoch was sometimes righteous and sometimes wicked, and therefore God took him away at the period of his righteousness to avoid his future sinning. However, such a consideration would not be appropriate for someone who denied the Mosaic Torah.

[128] Collins, "How Distinctive," 31.

sion, and he makes no attempt to explain it or to deduce from its "remarkable absence" that there really was no motive for polemic. Bedenbender, in contrast, seems to give more importance to the question of "whether the Mosaic wing of Judaism never reacted (more or less polemically) to the Enochic challenge"; he suggests that perhaps "the provocation was not felt strongly enough to provoke a literary answer."[129] The fact that the provocation merited no answer may instead serve to demonstrate that little or no significance was accorded to what was likely regarded as a frivolous text and a fringe group of "lunatics," if in fact a group existed that denied the crucial importance of Moses and the Sinaitic revelation. This hardly constitutes a serious "Enochic" movement within Judaism.

4.8. The Purpose of *1 Enoch*

4.8.1. *The Function of Apocalypses*

The authors' main purpose in composing and/or compiling *1 Enoch* is a crucial issue with respect to its intended message and function. According to Collins, "all apocalypses address some underlying problem," and "the illocutionary functions of exhortation and consolation can generally be maintained for the Jewish Apocalypses."[130] I agree. *1 Enoch* served as a means of preaching, with the aims of persuading the sinners to repent by threatening them with dreadful punishment and of instilling hope in the righteous by promising them reward and a bright future. *1 Enoch* 91:4 states, "love the truth and walk in it" … "but walk in righteousness … and it will guide you in the path of goodness,"[131] but does not define the essence of truth[132] or righteousness, relying instead on the assumption that this is already known from another source. Each text has one main purpose, and asserting the exhortative purpose of *1 Enoch*, in connection with an acute problem, renders irrelevant speculations as to a

[129] Bedenbender, "Traces," 40.

[130] Collins, *Apocalyptic Imagination*, 41.

[131] Nickelsburg "Enochic Wisdom," 125, perceives this verse, among others, as referring to the Qumran metaphor of the two ways. This metaphor does not claim to convey wisdom and the law; it relies on another source for this, namely the Torah.

[132] The concept of אמת "truth" in Scripture has the simple meaning of "truth," the opposite of "lie," but it also expresses in many instances a much wider concept of "goodness" or "doing what is right." See the range of the term "truth" in Scripture and in Qumran literature in Paul Heger, "Another Look at Dualism in Qumran Writings," in *Dualism in Qumran* (LSTS 76; ed. Géza G. Xeravits; London: T&T Clark International, 2009) 39–100 at 87–90, or in chapter 6 of this book, pp. 292–297.

supposed concealed purpose such as challenging the prominence of the Mosaic Torah. We also cannot avoid speculating that personal aggrandizement was a significant factor in writings such as *1 Enoch*, one that would have induced individuals to compose opuses glorifying themselves and their supposed "cosmic" significance, as is the case with respect to the authors of Enoch. It is altogether likely that this personal interest became the authors' overarching concern: they did not deny the revelation at Sinai, nor to appropriate it to themselves, but simply failed to mention it because it was not central to the purpose of their opus.

I see no compelling reason to understand the division (made by the authors) between sinners and righteous people as proof of the existence of a sect founded on theological divergence. Enoch does not accuse the sinners of heresy or of subscribing to false doctrines (such as believing that either Enoch or Moses was the true mediator between God and Israel) but, rather, of wrong behavior. Israelite biblical history is filled with stories of sinners and of the prophets/preachers who admonished these sinners and called upon them to repent, threatening them with harsh consequences for their misbehavior, both in the religious and social domains. Scriptural records confirm that there were always groups that sided with the prophets.[133]

While we may have doubts about the historical reliability of biblical records, we can regard these chronicles about righteous people as authentic; we do not sense any concealed motive that would justify the inclusion of incorrect data on this topic. Logic also dictates that there are always, in every society, those who go against the general trend. For example, the extended narrative of Obadiah, a close collaborator of King Ahab who acted against his master's directives and hid 150 of Yahweh's prophets (1 Kgs 18:1–16), confirms the reality of people acting against the general trend.

We do not encounter any hint of schisms or sectarian movements, however, and, to paraphrase Collins, a mere reference to sinners and the righteous does not in itself establish a reference to a Jewish sect.[134]

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[133] Morton Smith, *Palestinian Parties and Politics That Shaped the Old Testament* (New York: Columbia University Press, 1971), posits a theory, based on Old Testament narratives and an analysis of textual contradictions, of a continuous line of disputes in Israelite society between syncretistic and pure YHWH groups.

[134] Paolo Sacchi, "Enochism as Secret Revelation: Some Final Remarks," *Henoch* 30 (2008): 66–79 at 67, records that at an Enoch Seminar, Corrado Martone posed a pivotal question: "Does the existence of an Enochic literature entail an Enochic movement?" He

Scholarly debates about whether and how one can reconstruct the history of a group from texts are relevant to the Qumran community because of observed differences between the various writings recognized as being of "sectarian" origin. It seems to me that Philip Davies' statements that the texts "do not produce history"[135] and that it is wrong "to define a sect simply in terms of its beliefs"[136] have stimulated a number of studies that concentrate mainly on the differences between the CD and 1QS texts and their consequences for the question of whether we can deduce the existence of one unified group or of two similar, but not identical, communities[137]—that is, the CD refers to a community of Jews who lived among other Jews and Gentiles, were married and had children, and had private income, whereas 1QS relates to an exclusively male community separated from Israelite society, whose members possessed no property and adhered to special rules adapted for such a way of life. However, these issues relate to an acknowledged reality that such a group, with a particular religious belief and regulations, existed; despite scholarly differences concerning its origin, its precise character and historical development, there is no dispute about its existence as a separate social movement. The specifics of the texts unequivocally demonstrate this;[138] their extensive literature contains the features of a separatist group with defined borders: they are right and the others are wrong, they will be saved and the others will be annihilated; they profess different norms and behavior, have established specific rules for accepting new members and regulations for expelling serious transgressors, have a particular

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also reports that Capelli and Charlesworth echoed similar concerns. Sacchi considers this problem seriously, and declares that he has chosen the term "movement" rather than "party" or "sect" because this term is broad enough to express an ideological tradition.

[135] Philip R. Davies, *Behind the Essenes: History and Ideology in the Dead Sea Scrolls* (BJS 94; Atlanta: Scholars Press, 1987), 11.

[136] Philip R. Davies, "Sects from Texts: On the Problems of Doing a Sociology of the Qumran Literature," in *New Directions in Qumran Studies* (ed. Jonathan G. Campbell et al.; LSTS 52; London: T&T Clark, 2005), 69–82 at 72.

[137] Cecilia Wassen and Jutta Jokiranta, "Groups in Tension: Sectarianism in the Damascus Document and the Community Rule," in *Sectarianism in Early Judaism: Sociological Advances* (ed. David Chalcraft; London: Equinox, 2007), 205–245; Grossman, *Reading*; Sarianna Metso, "Methodological Problems in Reconstructing History from Rule Texts Found at Qumran," *DSD* 11, 3 (2004): 315–335.

[138] In his analysis of the CD and 1QS, Davies, "Sects from Texts," 77, writes, "it seems to me reasonably straightforward to show that the two texts present significantly different perspectives and construct overall different social worlds."

penal code for punishing members' misbehavior, and restrict or prohibit social interaction with outsiders, with whom they maintain a hostile relationship.[139] B. Wilson enumerates similar but not identical attributes of a religious sect, which are noticeable in Qumran writings.[140] Moreover, a motive for and an explicit assertion of the division is manifest in Qumran writings,[141] whereas there is not the slightest hint of such an occurrence in *1 Enoch*. The existence of a defined group is further confirmed by historical data from diversified sources, if we assume that the writings of the Dead Sea Scrolls are attributed to the Essenes. In contrast, the text of the *Book of Enoch* does not display the characteristics of a separatist movement, as required by scholars to imply such an event. While the definition of a "sect" is debated, the text of Enoch does not present any of the characteristics that would identify it as the manifesto of a sect, or of any organized group; it includes no particular rules and regulations for its members, no rituals for initiating new members or for their expulsion. In Enoch, we do not encounter any internal code or norm of behavior for a group, nor any provision for a separation between an in-group and an out-group; there is no "us against them," the essential feature of a separate group. There is no definition of who are the righteous and who are the sinners. In contrast to Qumran, whose leaders are the authors of their writings, *1 Enoch* represents the narratives of one fictitious personality, addressed to an unspecified readership/listeners. In addition, there is no mention of such a group and its specific theology or norms of behavior in any historical or other writing. Therefore, the text of Enoch cannot serve as the basis for speculation about the existence of an Enochic movement. It seems to me that the scholarly debates on the topic of reconstructing history from text are not relevant to Enoch.

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[139] See Heger, *Cult*, sections 4.3.1 and 4.3.2, with some thoughts about the factors that induced the creation of a separate Code in Qumran and the different sociological aspects of the Sadducees and the Essenes/Qumranites: the first did not separate from the bulk of society, whereas the second did.

[140] Bryan Wilson, *Religion in Sociological Perspective* (Oxford: Oxford University Press, 1982), 93–94, adds, among others, that a sect "may also embrace an understanding of the natural world, and the purposes and order that are thought to underlie the universe," and that "a sect is a protest group."

[141] We read in 4Q397 (4QMMT^{d}) IV:6–7, "for abomination is an odious thing. [And you know that] we have segregated ourselves from the rest of the peop[le]." 1QpHab II:1–6 also implies an internal struggle between two factions and the motive for their separation: "[This passage refers to] the traitors with the Man of the Lie, because they did not [believe the words of] the Teacher of Righteousness from the mouth of God."

Collins asserts that "the revelation to Enoch is anterior to that of Moses and in no way subordinate to it."[142] I understand this as indicating that when Enoch's revelation became known, some people accepted its authenticity and preferred it to the Mosaic Torah on the basis of its earlier composition. While it is true that the Mosaic Torah does not deny Enoch's existence before Moses, I do not perceive any compelling reason to consider them in opposition or in any subordinate/superior status. Rather, the two should be seen as complementing one another, with the Mosaic Torah revealing the divine laws and Enoch's revelation serving a hortatory purpose similar to that of most prophets, which is to encourage the Israelites to obey those laws. Thus, Enoch serves a distinct purpose, one that explains its omission of rules and ordinances: they simply do not fit within the scope of the authors' interest. There are no apodictic commands in *1 Enoch*, nor is the book interested in explaining the commandments; wrongdoings are portrayed not to demonstrate or define what is wrong but, rather, to explain the reasons for the punishment of the evildoers. The generic exhortation to obey the divine commands (without specifying these commands), along with the substantiation of the dreadful punishment awaiting transgressors through the narrative of the primeval Watchers, does not raise suspicions about the authenticity of the text as composed by the legendary antediluvian Enoch.

A book's introduction and conclusion give a good indication of its purpose, and the introductory and concluding verses of *1 Enoch* do indeed disclose the book's central aim. Verse 1:1 guides us in this respect: "the righteous chosen who will be present on the day of tribulation, to remove all the enemies and the righteous will be saved." The subsequent verses (1:2–5:9) complement this message with a vivid and comprehensive portrayal, comparing the good behavior of the heavenly elements, who obey the divine commands, to the wrong conduct of human sinners, who disobey them, thus exacerbating their guilt in order to justify their bitter end. However, there is no suggestion that their sin is an offense against the cosmic order. The final two verses (106:14–15) are similarly significant: they relate that the righteous will shine in light and the sinners will be cast into darkness. Verses 103:9–104:6 instill hope and confidence in the righteous regarding their great reward, at a time when they may lose hope because of their current abysmal conditions. These important concluding verses seem to me decisive in determining the intended purpose

[142] Collins, "How Distinctive," 31.

and function of *1 Enoch*. The revelation of the Law, provided by another source,[143] is simply not central to this text, and thus there is no need to refer to it explicitly.[144] I disagree with Nickelsburg's suggestion that there is law in Enoch—"Enoch's revealed Wisdom is not limited to law" (asserting implicitly that there is Law in Enoch) and, more explicitly, "the revealed wisdom is a comprehensive category that includes revelations about God's will expressed in commandments and laws, about the blessings and curses that will come to those who obey and disobey."[145] In fact, Wisdom represents the God-given faculty to understand correctly what God requires from humans/Israelites to live according with the divine rules—but these rules are revealed not in Enoch but elsewhere. We read in Ps 11:10, "The fear of the Lord is the beginning of wisdom; all who follow his precepts have good understanding"; and in 1QS II: 3, in which the priests bless the members of the Community, "May He illuminate your heart with wisdom for living and grace you with eternal knowledge."[146] The text of Enoch does not comprehend commandments and laws, as Nickelsburg alleges. He does not explicitly indicate which laws he identifies in the Enochic wisdom, but from the context he seems to be referring to the accusations about "murder, violence and oppression (92–105 *passim*) and perhaps sexual promiscuity."[147] However, there are no laws, such as decrees or commands, positive or negative, apodictic or casuistic, in this chapter, as appear for example in the Pentateuch and in *Jubilees*. The above-mentioned accusations constitute a mixed bag of warnings to sinners of the harsh punishment they should expect for their wicked deeds, such as deceit, violence, iniquity, hatred and evil, blasphemy, lawlessness, exploitation of the powerless, acquiring wealth unjustly, and oppressing the righteous. These threats are interjected with lavish eschatological promises of ultimate reward for the righteous. These texts follow the typical model of an exhortative opus; they do not constitute a transmission of laws.

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[143] Collins, "Theology and Identity," 61, admits that "the Animal Apocalypse and the Apocalypse of the Weeks show a knowledge of, and interest in the history of Israel." Further, he writes that the pattern of sin and deliverance in the apocalypses of the Astronomical Book and the Book of the Watchers "are surely influenced by Deuteronomic tradition."

[144] Only *Jub*. 7:38 asserts that the halakhah about the fruits of the fourth year was transmitted by Enoch; there is no mention of it the Book of Enoch itself.

[145] Nickelsburg, "Enochic Wisdom," 127, 128.

[146] For a more extended deliberation see ch. 6.

[147] Nickelsburg, "Enochic Wisdom," 126.

4.9. Conclusion

I have attempted above to dispute these allegations through a host of arguments, indicating their frailty from the perspectives of methodology, logic, and textual analysis. Conversely, I have postulated a different interpretation of the Enoch writings, their purpose and function, which avoids the problems inherent in the theory of a confrontation between unascertained "Enochians" and the bulk of Jewish society, who maintained an allegiance to the Mosaic Torah. In light of all of the above, I contest scholarly assertions as to the existence of an "Enochic Judaism" *ex nihilo*, as failing to accurately portray either the intentions of the authors of *1 Enoch* or the understanding of its readers. Similarly, I postulate that the Qumran community did not perceive Enoch as marginalizing the Mosaic Torah, as it is quite certain that they would not have accepted and preserved what they would have viewed as heretical writings, nor would they have attributed to Enoch an elevated position in heaven. Indeed, we have explicit evidence that the author of *Jubilees* and its readers understood that Enoch not only abides by the Mosaic Torah but is also committed to transmitting its rules to his descendants.[148] Similarly, the later rabbis would not have asserted that Enoch entered Paradise alive, together with Elijah and other prominent personalities, if they had understood the text of *1 Enoch* as opposing the Mosaic tradition. Thus, we may plausibly assume that the understanding of the *Book of Enoch* by the *Jubilees* author, Qumran, and the rabbis was closer to that of its readers in the antecedent few centuries than to the conjectures of modern scholars.

I dispute Boccaccini's allegation that "Enochic Judaism" was the parent movement from which the Qumran Community split off. In my opinion, the alleged divergence between Qumran's unquestionably Torah-centered doctrine and the presumed Enoch-centered dogma would have been too extreme to assume a potential affinity between the followers of such divergent doctrines.[149]

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[148] We read in *Jub.* 7:36–39 a passage addressing the rules for new plants and the periods during which they may and may not be consumed precisely according to the biblical commands, as interpreted in Qumran: "For thus did Enoch, the father of your father, command Methuselah, his son, and Methuselah his son Lamech, and Lamech commanded me all the things which his fathers commanded him."

[149] See above my criticism on the alleged distinction between earlier and later Enochism.

I would suspect that my above assumption constitutes a factor in Collins' disagreement on this issue, declaring that Boccaccini's "hypothesis has its own problems."[150]

Finally, I would hypothesize that Boccaccini and Collins were subconsciously influenced by their cultural/religious background;[151] they attempted to reveal a theological schism in Jewish society that would establish Christianity as an offshoot of a schismatic Jewish group. Speculations about an Enochic Judaism that marginalized or altogether ignored the Mosaic Torah and its precepts would offer an auspicious contingency for such a theory. Paul's teaching that the Mosaic Torah is not essential to salvation, on this view, was not a novel deviation from revered Israelite doctrine and a breach with holy tradition but followed an already ingrained credo: that of the Enochians, a significant branch of Judaism.

Unfortunately, although we may try to detach ourselves from our cultural predispositions, we cannot entirely escape their influence. We encounter such subconscious cultural influences, for example, in scholarly contemplations by Collins, who is surprised "to find that this story [of Adam and Eve] is hardly reflected at all in the rest of the Hebrew Bible, although few [other biblical narratives] have had such a profound influence on the understanding of human nature in the Western world."[152] His surprise seems justified, but he overlooks the fact that the Adam and Eve narrative, so significant in the development of Western civilization and the Christian theology of the original sin, was definitely not so perceived by the ancient Israelites, who wrote both the Bible and Enoch.[153] A different—Israelite—perspective must therefore be applied when reflecting on the original intent of Jewish ancient literatures of all types and their reception in the community of that period.

I conclude this study by quoting James Crenshaw's comment on the many contemporary interpretations of Qoh: "It may be that in the last resort Qoheleth is a mirror which reflects the soul of the interpreter"[154]—a maxim that has guided my study above.

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[150] Collins, "How Distinctive," 34.

[151] See p. 16 and n. 77 for Tertullian's suggestion that Enoch, a most righteous man, only acted according to the Natural Law and did not fulfill the Mosaic ritual laws of circumcision and the Sabbath or offer sacrifices.

[152] Collins, "Interpretation," 30.

[153] The topic of a Christian-Jewish dialogue on the varying interpretations of the Bible appears in Alice Ogden Bellis and Joel S. Kaminsky, eds., *Jews, Christians, and the Theology of the Hebrew Scriptures*, 2nd ed. (Atlanta: Society of Biblical Literature, 2000).

[154] Crenshaw, "Qoheleth," 51.

CHAPTER FIVE

JUBILEES AND THE MOSAIC TORAH

5.1. Relationship between the Heavenly Tablets and the Mosaic Torah

5.1.1. *Disputing Boccaccini's Theory*

In his article, "From a Movement of Dissent to a Distinct Form of Judaism,"[1] Boccaccini quotes excerpts from Najman's and Himmelfarb's publications regarding the priority of *Jubilees*' Heavenly Tablets over the Mosaic Torah—for example, Najman's assertion that "*Jubilees* belongs to a family of texts that claims an equivalent or perhaps even a higher authority than that accorded to Mosaic revelation insofar as the Heavenly Tablets were revealed prior to Sinaitic revelation,"[2] and Himmelfarb's statement that the HT "trumps the authority of the Torah" and "serves . . . to relativize it . . . by undermining its claims to uniqueness"[3]—to support his opinion.[4] In this chapter I debate the relationship between the Torah and *Jubilees*, and bring forward my arguments against the opinions of Boccaccini, Najman, and Himmelfarb on this subject.

I begin by noting Boccaccini's essentially erroneous approach to this topic, as presented in the title of his article. The fact that *Jubilees* promotes *halakhot* that dissent from those established by the rabbis—plausibly generated by the Pharisees, their assumed forerunners—does not create a "distinct form of Judaism," as Boccaccini claims in his title. He makes this claim as if it were an unquestionable reality, and does not attempt to substantiate or even discuss this primary concept. On this unattested

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[1] Gabriele Boccaccini, "From a Movement of Dissent to a Distinct Form of Judaism: The Heavenly Tablets as the Foundation of a Competing Halakhah," in *Enoch and the Mosaic Torah: The Evidence of Jubilees* (ed. Gabriele Boccaccini and Giovanni Ibba; Grand Rapids, MI: Eerdmans), 193–210.

[2] Hindy Najman, "Interpretation as Primordial Writing; Jubilees and Its Authority Conferring Strategies," *JSJ* 30 (1999): 379–410 at 385, 388, 410.

[3] Martha Himmelfarb, "Torah, Testimony and Heavenly Tablets: The Claim of Authority of the Book of Jubilees," in *A Multiform Heritage Festschrift Robert A. Kraft* (ed. B.G. Wright; Atlanta: Scholars Press, 1999), 19–29 at 27–28.

[4] Boccaccini, "From a Movement," 195–196.

foundation, he then constructs his entire theory. However, dissident *halakhot* and the efforts of their advocates to corroborate their legitimacy, each by his own specific method, do not and did not create different forms of Judaism or splits in Jewish society in the period before 70 CE, the subject of our investigation. In my book *The Pluralistic Halakhah*,[5] I have demonstrated that before the destruction of the Temple, there was no effort to establish a fixed, unique *halakhah*, even in pharisaic circles; such movements started only after the Temple's destruction, as a matter of political expediency to ensure the unity of the Jewish people. The presence of dissenting *halakhot* in almost every *Mishnah* edited in the third century CE indicates that the same was true in the pharisaic era, without the varying *halakhot* being perceived as distinct or conflicting forms of Judaism. I have demonstrated in my book *Cult*[6]that the pharisaic-qumranic/essenic split was not motivated by dissenting *halakhot* of a general character, such as appear in *Jubilees*, but was the result of dissenting *halakhot* about the Temple's sacrificial cult and of personal squabbles among the leadership.[7]

A further general unsubstantiated assertion by Boccaccini in this article is that *Jubilees* makes "explicit reference to both the Mosaic Torah, the Pentateuch …, and the Enochic tradition, as preserved in the books of Enoch."[8] He compares the two traditions as if their elements in *Jubilees* were of equal significance, but this is far from the reality: *Jubilees* is totally focused on the supplementation of biblical narratives and interpretations of biblical commandments,[9] and only a short passage is dedicated to fill-

[5] Heger, *Pluralistic*. See relevant pages in Fixing of Unitary Halakhah in Subject Index 400–401.

[6] Heger, *Cult*, ch. 4.

[7] Since we have no authentic data from the Sadducees and are dependent for our comprehension of their ideological and interpretive system, and of the practical consequences of their dissensions, on the writings of the much later rabbinic contenders, it is irresponsible to speculate about the exact circumstances of their relationship. Josephus' portrayal of the three philosophies (*Wars* II:119–166) does not concur with the rabbinic description, is biased against the Sadducees, and is not reliable for such an examination.

[8] Boccaccini, "From a Movement," 196–197.

[9] I disagree with White Crawford, *Rewriting Scripture*, 14, who argues that in *Jubilees*, "scribal manipulation of the base text is so extensive that a recognizable new work is created." In my opinion, *Jubilees* is indeed a new text, whose purpose and function is the validation of the author's interpretation of the base text. However, the author does not present it as a rewritten scriptural text, as alleged, but, rather, as its correct interpretation, to which he has added narrative details intrinsically linked to the biblical narratives. These additions seem to me identical to those in 1Q20 (1QapGen ar), which White Crawford classifies as a different genre. White Crawford's classification of *Jubilees* as "a narrative" seems to me inappropriate, since its main purpose is the legal aspect of its

ing in details of the short biblical narratives about Enoch and the giants.[10] The *halakhah* about the fruits of the fourth year (*Jub*. 7:38), transmitted by Enoch, is the only one presented as originated by Enoch, and it conveys precisely the simple meaning of the Torah command. The prohibition against eating the meat of the Peace offering on the third day (*Jub*. 21:10), identical to the Torah command, is presented as having been instituted by Abraham, who found it in the writings of Enoch and Noah; hence, it is not an Enochic tradition, as Boccaccini alleges. Moreover, since these two *halakhot* reproduce the simple meaning of the scriptural text,[11] the author does not declare that they are written in the Tablets, *Jubilees*' typical marker; this would be superfluous. The absence of validation for these *halakhot* demonstrates the author's motive for claiming that the other *halakhot* were inscribed in the HT: since many of the

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halakhot; narrative details are secondary. Similarly, I doubt whether the Temple Scroll can be perceived as a "scribal manipulation of the base text," as alleged by White Crawford. We may classify it as such, but its author did not present it in this manner: his aim was to introduce it as an independent revelation by God, in which commands in the Mosaic Torah are supplemented with new divine commands.

[10] Dorothy M. Peters, "Noah Traditions in Jubilees: Evidence for the Struggle between Enochic and Mosaic Authority," *Henoch* 31, 1 (2009): 116–122 at 117, writes, "*Jubilees* imposed limits on Enoch," and expands on this point in at 117, n. 305: "*Jubilees* betrays a notion of a real but *restricted* Enochic authority" (italics by author). I disagree from this perspective with the statement of Florentino García Martínez, "The Heavenly Tablets in the Book of Jubilees," in *Studies in the Book of Jubilees* (ed. Matthias Albani et al.; Tübingen: Mohr Siebeck, 1997), 243–260 at 258, that *Jubilees* is dependent "upon the Enochic literature, from which is derived the notion of the HT as a Book of Destiny." Scripture is the source of *Jubilees*' narratives about the course of history, extended and amplified by its author, like rabbinic *midrashim* and Qumran narratives.

[11] *Jubilees*' halakhah establishing that the fruits of the fourth year belong to the priests follows literally the decree of the biblical text: קדש הלולים לה׳ "an offering of praise to the Lord" (Lev 19: 24), which agrees with the LXX translation. *Sifrei Num piska 6* deduces by a circular exegesis that it belongs to the owner. *Jubilees* mentions this *halakhah*, which seems superfluous, because it is plausible that the Pharisees—like their followers, the rabbis—disputed it. The prohibition on eating the meat of the Peace offering on the third day equally agrees with the explicit simple meaning of the text, and since there is no dispute about it in the rabbinic literature, *Jubilees*' mention of it would seem superfluous. I think this specific *halakhah* is included in the long list of rules about the correct performance of the sacrifices, in which another rule is disputed by the rabbis, and plausibly by the Pharisees. *Jub*. 21: 7 decrees: "and all the fat of the offering offer on the altar with fine flour and the meat offering mingled with oil, with its drink offering—offer them all together on the altar of burnt offering." The rabbinic *halakhah*, on the other hand, states that each ingredient should be brought up separately to the altar. Yigael Yadin, *The Hidden Scrolls: The Temple Scroll* (Hebrew; Jerusalem: Israel Exploration Society, 1977), 114 ff., has already drawn attention to this dispute. See my deliberation about it in *Cult*, 103.

halakhot in *Jubilees*—such as those mandating the execution of a murderer using the identical implement with which the murder was committed, or execution by stoning as the penalty for giving one's daughter or sister in marriage to a Gentile—do not appear explicitly in the scriptural text and cannot be deduced by simple interpretation, their legitimacy must be validated by claiming their source in the Heavenly Tablets.

Further, if we assume that indeed *Jubilees* gave equal importance to Torah and *Enoch*, another problem arises—the authenticity of the *Book of Enoch* or of *Jubilees*. If indeed *Enoch* transmitted *halakhot*, we must assume that the author had another version of *Enoch* other than the version of *1 Enoch* in our possession, in which Torah rules explicitly appeared, as *Jubilees* declares.[12] This assumption would cast severe doubt on the authenticity of the extant version of *1 Enoch*, which in that case conceals Mosaic *halakhot* that were present in its original version. Conversely, if we accord authenticity to *1 Enoch*, the same doubt would affect *Jubilees*, and such a contingency would raise severe questions about the reliability of the similar apocryphal books of *Enoch* and *Jubilees*. It would therefore be highly doubtful whether either can serve as a source for the investigation of Jewish beliefs in that important period of Jewish cultural history. Thus, either contingency demolishes Boccaccini's attempt to deduce from these writings crucial theological doctrines of Jewish society in this period. Similarly, since the "Enoch *halakhot*" cited in *Jubilees* agree precisely with those of the Mosaic Torah,[13] Boccaccini's assertion that it is very difficult to assess "which component (the Zadokite [the Mosaic] or the Enochic) prevailed in their meeting [in *Jubilees*] from the ideological point of view," and his argument that *Jubilees* represents a "merging of traditions,"[14] have no foundation, since the two components are identical.[15]

As I note in chapter 3, in a brief discussion of the process of creating narratives by amalgamating different traditions (a topic on which I intend to write a separate study), narratives complementing short biblical stories

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[12] The author declares that the rule of the fruits of the first four years were commanded by Enoch (*Jub*. 37–38) and that the rituals of the offerings were "found written in the books of my forefathers, and in the words of Enoch" (*Jub*. 21: 10).

[13] The latter excludes, as noted above, the diversity of *Jubilees*' *halakhot* from the rabbinic rules.

[14] Boccaccini, "From a Movement," 197.

[15] Peters, "Noah Traditions," 112, states that "Enochic and Mosaic revelation, received and transmitted, was not simply melted and merged in Jubilees but rather placed into a definitive relationship."

were in circulation in Jewish society. They developed by accretion from many sources until eventually collected and put in writing by some ambitious and venturesome author, often under cover of a pseudonym. It is commonly assumed that the *Book of Enoch* was the source of the Watchers' narrative in *Jubilees*. However, because of the significant differences between the Watchers' narrative in *1 Enoch* and that in *Jubilees*, some of which I enumerate below, a question mark on the *Jubilees* author's real source for this episode is certainly justified. *Jub*. 4:23 tells us that Enoch was taken from among the children of men and conducted into the Garden of Eden, where he accomplished all his writings. This significant information about Enoch's exaltation, however, does not appear in *1 Enoch*, the supposed source of the Watchers' narrative in *Jubilees*. Further, *1 Enoch* gives much prominence to the Watchers' conspiracy, their rebellion against God, and the revelation of secrets to humans—their most severe sins—whereas *Jubilees* ignores these events altogether. *1 Enoch* 9:1–3 narrates that the angels looked down and, seeing the bloodshed, decided to report to God, asking his intervention, but *Jub*. 5:3 records that God looked down and saw the corrupted earth. *1 Enoch* 10:9 records the divine order to Gabriel: "send them [the Giants] against one another in a war of destruction," while *Jub*. 5:7–8 records that God commanded (the author does not record who received this command) that the Giants be smitten with the sword. Such divergences should not be overlooked, since they call into question on Boccaccini's argument of a "merging of traditions" from the narrative perspective. These inconsistencies, and the contradiction discussed above between *Jubilees* and *1 Enoch*, raise serious doubts as to whether the *Book of Enoch*, as we know it, was the *Jubilees* author's source, or only source, for the Enoch-related narratives. For example, the significant pronouncement in *Jub*. 1:26–27, asserting that God told Moses to write down for himself "all these words, which I declare unto thee on this mountain, the first and the last, which shall come to pass in all the divisions of the days," was a *midrash* that circulated in Jewish society. We encounter in *y. Meg*.1:70d, 5: המגילה הזאת נאמרה למשה מסיני אלא שאין מוקדם ומאוחר בתורה (This Megilla [Esther] was told to Moses at Sinai, but was told later because the Torah does not render its narratives in chronological order).[16]

[16] This pronouncement was intended to reconcile the rabbinic maxim that after Moses' revealing the Torah, not even a prophet may add to, change, or remove from it, which would appear to conflict with the establishment of a new holiday and its specific halakhic obligations by Esther and Mordecai.

5.1.2. *Disputing Najman's and Himmelfarb's Theories*

Having challenged Boccaccini's primary conceptions, I now proceed to a critical scrutiny of his arguments and those of other scholars whom he cites in support of his theory. I wish to dispute the conception that the priority of *Jubilees* affects its superiority to the Mosaic/Sinaitic Torah. The *midrash* that the Torah—that is, the divine laws—existed from a primeval era, before the creation of the world and long before the revelation at Sinai, was plausibly an ancient tradition ingrained in different forms and literary styles. In the rabbinic tradition, we encounter a dictum that the Torah was written and rested in God's bosom for 974 generations before the creation of the world (*Abot R. Nat*. Recension A ch. 31). *B. Pes*. 54a records the Torah among seven things that were created before the world, supporting this assertion with the citation "the Lord brought me forth as the first of his works, before his deeds of old" (Prov 8: 22); *Abot R. Nat*. Suppl. B to Recension A, chapter 8, interprets the latter verse as meaning that the Torah constituted the divine tool for the creation of the world, that is, the master plan.

The author/s of *Jubilees* possessed or created a different literary style for the conveyance of the same narrative. He/they devised Heavenly Tablets in which, similarly, the Torah, its interpretations, and complementary halakhic and narrative details were inscribed. The rabbis, too, declare that the Oral Torah, with all the details and rules of the precepts that are not written in Scripture, were given already at Sinai (*Sifra Behar parsha* a). *B. Erub*. 54b records in a narrative the exact order in which the Oral Torah was taught by Moses to Aaron, then to Aaron's sons, to the elders, and finally the people, and portrays the order in which they were seated before Moses at that event. The fact that some traditions were transmitted to Enoch, Noah, and the patriarchs "long before Moses ascended Mount Sinai," as Najman emphasizes,[17] does not downgrade Moses' authority or his uniqueness, as she concludes.[18] Neither Enoch nor Noah received from heaven all the divine Torah laws; only Moses was elected for this revelation, and only to him did God reveal the entire history of the world, as we read in *Jub*. 1:27–28: "Write for Moses from the beginning of creation till my sanctuary has been built among them for all eternity."[19] The rabbinic *midrash* that Abraham fulfilled all the scriptural precepts,

[17] Najman, "Interpretation," 385.

[18] Ibid., 388.

[19] Peters, "Noah Traditions," 119, writes in this connection of the alleged struggle between Enochic and Mosaic authority, according to *Jubilees*: "Moses now superseded

even the Oral Torah and the later rabbinic rules (*b. Yoma* 28b), before the Torah's revelation at Sinai did not degrade the authority of Moses or of the Torah in the eyes of the rabbinic world. Nor am I aware that, in the eyes of the rabbis and their followers, the Torah revealed to Moses was "subordinated to the heavenly archive that contains everything that appears in either of them (Scripture and *Jubilees)* and more as well," as Himmelfarb alleges.[20] According to the rabbis, the Torah—both Oral and Written—revealed to Moses is identical to the one created by God long before. Moses' uniqueness consists in God's finding him worthy to reveal the Torah to the world instead of communicating it to a few handpicked people.[21]

Comparing Scripture and *Jubilees* with respect to the above, I do not perceive any compelling reason for the author of *Jubilees* or its readers to consider that "the pre-Sinaitic origin of its heavenly tradition" should "undermine the special authority that had been accorded to the Mosaic Torah," as Najman writes.[22] There is no logical motive to assume a different attitude on the part of *Jubilees*' readership than the rabbis held, according to rabbinic tradition, toward the similar circumstances

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Enoch as the most authoritative revealer," and states that "the scope of Enoch's revelation is now encompassed within the more extensive revelation to Moses."

[20] Himmelfarb, "Torah, Testimony," 27–28.

[21] Najman, "Interpretation," 384, notes that "Jubilees repeatedly draws attention to the notion that Moses is not the first to receive written calendrical and historical revelation" to support her thesis that this fact downgrades Moses' authority. This is her personal interpretation, however; *Jubilees* simply tells us what occurred, without any indication that it upgrades or downgrades Moses. Gen 26:5 explicitly tells us that God has communicated his laws to Abraham, and nobody alleges that this downgrades Moses' rank, as she suggests (p, 388). The same applies to others of Najman's citations in support of her thesis. In her attempt to emphasize *Jubilees*' interest in writing, she writes that it "leads us to what certainly was, for Jubilees, a related question, namely, that of the of the book's own claim of authority" (387). Since the faculty of writing has by itself no connection to the topic of the authenticity or authority of the Torah's or *Jubilees*' laws, I deduce from the author's attention to the fact of written revelation that he perceived it as helpful in convincing his readers of the authority of his writing, as Najman states. However, I perceive this as an indication of the feebleness of his concept and of his awareness that he must work hard and devise a great number of pieces of evidence to establish it. Najman derives from the same fact the opposite conclusion: that it has significant downgrading implications for the status of the Mosaic Torah (388). I cite this example to demonstrate the weakness of Najman's thesis that the text of *Jubilees* indicates its attempt to downgrade the significance of the Mosaic Torah; I deduce the opposite: that the considerable efforts of *Jubilees* to prove its claim of authority, so convincingly demonstrated by Najman through her many citations, indicate the author's endeavour, using "four strategies," to attain authority for his new work and equate it to the acknowledged authority of the Mosaic Torah.

[22] Najman, "Interpretation," 410.

of the Torah.[23] *Jubilees* contains Torah excerpts with interpretations and accretions of narratives, not unlike the halakhic interpretations and *midrashim* in the rabbinic literature and in some Qumran writings;[24] in *Jubilees* these are interlaced with the biblical texts, while in the rabbinic literature they are separated. *Jubilees*' author did not intend to rewrite the Torah, nor was he concerned about whether the Torah was canonized or subordinated to his writing, as Najman suggests.[25] At most, one might envisage that its author and readers considered it of equal authority to the Torah, being its correct interpretation as recorded in the Heavenly Tablets.

The introduction of *Jubilees* and the literary frame of its presentation utterly blend with the portrayal of Moses and his exalted rank. We read about his going up to heaven to receive the Torah for its subsequent revelation to the Israelites and of his special relationship with God, associating this event with a covenant between God and Moses. These details indicate the purpose of *Jubilees* and its character: It demonstrates Moses' involvement in the past and future of the Israelite people and his prominence. Thus, the portrayal of Moses' exalted status and function in *Jubilees* indicates its secondary status to Moses' revelation of the Torah to the Israelites. In fact, *Jubilees*' content is the transcript of what has been transmitted to Moses in heaven. Its author's goal consisted in demonstrating, on the basis of his testimony, that all of *Jubilees*' halakhot and narratives, which do not exist in the Torah, come from the same heavenly source as the Mosaic Torah. In other words, his interpretation of some of Scripture's halakhic texts has the same authority as the Mosaic Torah, because it was initially communicated to Moses but not transmitted by him to the Israelites.[26] *Jubilees*' narrative is introduced by the following assertion: "And the angel of the presence spoke to Moses according to the word of the Lord saying: Write the complete history of the

[23] García Martínez, "Heavenly Tablets," 258, writes, "The HT functions in the same way as the Oral Torah in Rabbinic Judaism."

[24] For example, 1Q20 (1QapGen ar), which adds a full description of the performance of Noah's offering after the Flood (X: 13–17) to the short biblical verse 8:20. Such descriptions consist of expected details, like the book with the details of lots given by Noah to his sons in *Jub*. 8:11. See Najman, "Interpretation," 382.

[25] Hindy Najman, "Reconsidering *Jubilees*: Prophecy and Exemplarity," in *Enoch and the Mosaic Torah: The Evidence of Jubilees* (ed. Gabriele Boccaccini and Giovanni Ibba; Grand Rapids, MI: Eerdmans), 229–243 at 230–232.

[26] With respect to the concept of authority, I discern between the halakhic interpretations, to which it applies, and the supplementary details in the narratives, to which the concept of authority is not relevant, since they have no legal or other practical application.

creation" (*Jub*. 2:1). Thus, the entire content of *Jubilees* was communicated to Moses.[27] In contrast, the rabbis contend that Moses transmitted to the Israelites the entire Oral Torah, that is, the correct interpretations of the written Torah.[28] Najman's hesitation to assert that *Jubilees* "reflects some of the earliest interpretation of the Pentateuch," because its author "claims that it is itself a revelation," seems to me unjustified.[29] According to the rabbis, as we have seen, divine revelation was also the source of the Oral Torah, the interpretation of the written Torah; only the method of transmission differs between the rabbinic description and the portrayal in *Jubilees*, and therefore both were authoritative writings for their readers, who believed in their authenticity.[30] There is thus no contradiction in terms between interpretation and revelation. Our current critical approach may not accept such a consideration, but we are attempting to reveal how the ancient readers perceived it, and for them, I believe, the two systems of transmission were deemed equally credible.

Further, we observe that *Jubilees* follows the chronological order of the biblical narratives,[31] and often its language,[32] and corrects and explains them when necessary; this demonstrates its interpretive function and character. For example, Gen 3:6–7 records that Eve ate the prohibited fruit and then gave it to Adam to eat, and only after this does v. 7 state, "Then the eyes of both of them were opened." This sequence makes no sense, since it is evident that Eve's eyes would have opened

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[27] See Cana Werman and Aaron Shemesh, "Halakhah in the Dead Sea Scrolls," in *The Qumran Scrolls and Their World*, vol. 2 (Hebrew; ed. Menahem Kister; Jerusalem: Yad Ben Zvi Press, 2009), 409–434 at 419.

[28] *B. Erub*. 54b presents a vivid portrayal of the transmission system of the Oral Torah. We read there that this was his method of teaching the Oral Torah: Moses learned it from the Almighty, Aaron entered first into his tent and Moses taught him the Torah and its interpretation; afterwards, he remained seated at his right side. Then Aaron's sons Eleazar and Ithamar came in and he taught them the Torah, and so on, then came the seventy elders and then all the people. All listened to the Oral Torah from Moses. Abbreviated version of Maimonides' interpretation in *Introduction to the Mishnah* (Hebrew; trans. J. Kapach; Jerusalem: Mossad Harav Kook, 1963).

[29] Najman, "Reconsidering," 231.

[30] On this topic see Jamal-Dominique Hopkins, "The Authoritative Status of Jubilees at Qumran," *Henoch* 31, 1 (2009): 97–104 at 98.

[31] See Liora Ravid, "The Relationship of the Sabbath Laws in Jubilees 50: 6–13 to the Rest of the Book," *Tarbiz* 69, 2 (2000): 161–166 at 162 (Hebrew). Himmelfarb, "Torah, Testimony," 23–24, writes, "the schema of sin, punishment, and repentance (*Jub*. 1: 7–18) is Deuteronomic, and the language of the speech draws on Deuteronomy."

[32] García Martínez, "Heavenly Tablets," in his detailed study of the relationship of *Jubilees* and Scripture, indicates the relevant biblical sources of *Jubilees*' narratives and *halakhot*.

immediately after she ate the fruit. *Jub*. 3:21–22 corrects it: "And when she had first covered her shame with fig leaves, she gave thereof to Adam and he ate, and his eyes were opened, and he saw that he was naked." We find a similar correction at God's allocution to Eve after the Fall. In contrast to God's reading of the verdict to the serpent and to Adam, the divine communication to Eve starts without any accusation or introduction (Gen 3:16); only from its content can one envisage that it conveys something disagreeable. *Jub*. 3:24 corrects this perceived omission: "And He was wroth with the woman, because she harkened to the voice of the serpent, and did eat."

The so called "New Halakhot," as classified by García Martínez, are in reality not new *halakhot*, exterior to the Torah, but interpretive expansions of biblical rules, similar to rabbinic *midrashic* interpretations. The "seal" of the Heavenly Tablets serves to attest to their divine source and validity, just as the rabbis assert that all interpretations and resulting expansions of the Oral Torah were given to Moses at Sinai and enjoy the same significance, as García Martínez correctly recognized in his early study.[33] For example, *Jubilees*' edict commanding the execution of a murderer by the same implement with which he performed the murder (4:32) is not a new *halakhah*. It does not command the execution of a murderer, or prohibit taking ransom for murder; the author relies on the biblical decrees to that effect (Exod 21:12 and Num 35:31). However, Scripture does not indicate the mandatory manner of execution, and thus *Jubilees* complements the biblical ordinance. The rabbis interpreted this lacuna differently, and declared that wherever it is written מות יומת, as in Exod 21:12, the intent is execution by strangling (*b. Sanh*. 52b). There are disputes in the rabbinic literature regarding the application of other types of executions for a variety of transgressions that command capital punishment but with no scriptural indication of the precise manner of execution.

Meg. Taan. scholion (ed. Lichtenstein) records that the Sadducees had a book giving the details of the appropriate types of executions for the various transgressions but were unable to justify them (because they did not use the rabbinic *midrashic* system). The author of *Jubilees* devised another solution for the biblical lacuna, which does not seem unreasonable, but one cannot claim that it is a "new law," as Najman does.[34] The

[33] Ibid., 258: the appropriate *halakhah* "is legitimated through recourse to the HT, which justifies the exegesis that has been made upon a biblical basis."

[34] Najman, "Interpretation," 395.

same, I think, should apply to *Jubilees*' decree (in chapter 30) of capital punishment of the man who gives his daughter or sister in marriage to a Gentile, which the author deduces from the Genesis narrative about the Shechemites' execution. We observe his abundant use of the biblical terms of the narrative, such as "uncircumcised" and "shame"; the execution of the girl by fire, like the prostitute daughter of a priest (Lev 21:9); the execution of the father by stoning, like the man who gives his child to Moloch (Lev 20:2); and the frequent use of the term "judgment," to demonstrate its legality according to Scripture. It is definitely not meant to conflict with the biblical text but, rather, is intended to complement it by appropriate interpretation.

The *halakhot* of tithes of plants in *Jub.* 32:10 and of animals in 32:15, similarly, are interpretations of equivocal biblical commands. Deut 14:22–26 relates to tithes of both plants and animals to be consumed by the owner at the site chosen by God. Verse 27 asks that the Levite not be neglected, which seems to be a voluntary undefined ordinance to share the tithes with him; verses 28–29 command that the people place tithes of the third year's plants at the gates of the towns for the Levites, aliens, orphans, and widows to consume. Num 18:21, on the other hand, mentions explicitly that the tithes belong to the Levites. The ambiguous or contradictory character of the rules is obvious, and both the rabbis and the author of *Jubilees* attempted to find a reasonable solution to the dilemma. The rabbis decided that every year a tithe of ten percent of the harvest must be given to Levites and another ten percent of the remainder, called "the Second *Maasser*," must be eaten in Jerusalem by the owner during two years of the three-year cycle. In the third year of the cycle, this second tithe is to be given to the poor. The tithe of animals must be brought to Jerusalem and offered as a Peace offering; thus, it is consumed there by the owner. It appears that *Jubilees* also stipulates that the identical first tithe of the harvest be given to the Levites and that a second tithe be consumed every year in Jerusalem; however, the animal tithe is to be given to the priests. These *halakhot* evidently refer to the ambiguous biblical rules, and the mention of their being inscribed in the Heavenly Tablets grants them the required authority, like the *halakhot* of the rabbinic Oral Torah.[35]

[35] Segal, *Jubilees*, 4, writes that the author's reliance on the Torah demonstrates his aspiration to grant authority to his writing by connecting his new creation to the most holy composition.

I utterly disagree with Boccaccini's assertion that the concept of the Heavenly Tablets was the foundation that made possible the development of a competing *halakhah*.[36] The *halakhot* of *Jubilees* did not compete with the Mosaic Torah; rather, they constituted complementary interpretations of the Torah.[37] We can compare them to the rules of the Temple Scroll: they do not contradict the Torah rules; they interpret these rules differently than the rabbis, but even their "New Halakhot," like the New Holidays, are not against those of the Mosaic Torah, as I demonstrate in my book.[38] In fact, none of the *halakhot* of *Jubilees* conflict with those of the Torah, as the author understood them.[39] *Jubilees*' *halakhot*, founded on the author's interpretations, were competing with different customs and traditions, then circulating among the Israelite public, plausibly resulting from pharisaic interpretations. Its author attempted to grant his interpretations validity over those of his opponents by claim-

[36] Boccaccini, "From a Movement," 205.

[37] García Martínez, "Heavenly Tablets," 251, in his comments on the calendar issue in Jub. 6:30–35, writes, "they are a series of prescriptions which regulate the 'correct' application of the biblical text."

[38] See Heger, *Cult*, 70–79, for a deliberation and explanation regarding the interpretation of the vague biblical texts which led the TS author to establish the Festival of Weeks on the fifteenth day of the third month, in contrast to the rabbinic sixth day, and the addition of the Festivals of Wine and Oil. These are not against the Torah, and nor is *Jubilees*' "correct" calendar. *Jubilees* records sacrificial offerings of the Patriarchs, which are absent from the scriptural narrative, but it is remarkable that these assertions exactly follow the scriptural narratives about building altars and worshiping God at them. For example, *Jub*. 13:9, narrating Abraham's offering, appears at exactly the same juncture—his arrival at Shechem—as the same event recorded in Gen 12:8. The author complemented this biblical narrative based on his knowledge, derived from Scripture, that offering sacrifices is an altar's purpose; he emulated the method of Chronicles. It is plausible that he was motivated to add these apparently missing details to indicate the importance of the sacrificial cult, performed by the priests from the elected tribe of Levi. The list of the offerings for the Sukkot holiday in *Jub*. 16:22–23 constitutes the sole variance from the biblical rule in Num 29:13–34, but it is noteworthy that the concluding verses (29–31), which establish the command and a host of rules for the performance of this holiday as a memorial of Abraham's feasting, do not include the offerings among them. The divergence of the date of Passover in *Jub*. 18:17–19 from the biblical date also contradicts the date of the holiday in *Jub*. 49:1–2, which corresponds with the biblical date. Hence, one cannot consider this to be evidence for a *halakhah* that conflicts with the Torah. On this issue see Segal, *Jubilees*, 156–159.

[39] García Martínez, "Heavenly Tablets," 244–245, writes, "The Heavenly Tablets are none other than the celestial archetype of the Mosaic law." Himmelfarb, "Torah, Testimony," 21, writes, "*Jubilees* does not claim to be a book of law, but rather an account of past and future." She supports her statement by pointing to the way in which the author of CD XVI: 1–4 perceived the purpose and function of *Jub*. Hence, its significance regarding issues of law is utterly minimized.

ing their ancient heavenly origin.[40] The technical details of the calendar, like those of most other commands, are not established in the Torah. The rabbis, Qumran and *Jubilees*, and possibly the Sadducees each tried to convince the people that their rules and customs, founded on their interpretations and traditions, were correct and represented the true divine will and intent; it is plausible that each group devised different methods to convincingly demonstrate this.[41] On these circumstances I fully agree with Najman;[42] I disagree, however, that because the Heavenly Tablets with the solar calendar were revealed "prior to Sinaitic revelation,"[43] and hence constituted the "older covenant," the author of *Jubilees* and its readers rightfully claim for its text "an equivalent or perhaps even a higher authority than the accredited Mosaic revelation."[44]

The technical details of the calendar are not mentioned as a "covenant" in *Jubilees*. The only mention of the calendar in association with the covenant, in *Jub*. 6:35–36, refers to the covenant concerning the holidays, which must be performed on the correct days.[45] The technical details of the calendar do not constitute a law; in reality, they are not even an interpretation of the Mosaic laws. They simply constitute a physical fact, the duration of the monthly and yearly cycles, made known by Enoch (*Jub*. 4:17), whose correctness was confirmed by God in his mandate to Moses to convey it to the Israelites. The calendar will enable the accurate celebration of the holidays and the particular precepts associated with them. The issues of equivalent or higher authority and of prior or later disclosure are not relevant to the communication of such technical details. The correct technical details of the calendar were not revealed

[40] *B. Men*. 65a, for example, offers evidence that the Boethusians interpreted the phrase ממחרת השבת in Lev 23:15, regarding when to start counting the fifty days between Passover and the Festival of Weeks, differently from the Pharisees, and their date for the Festival of Weeks concords with that of *Jubilees*.

[41] It seems to me that the Pharisees did not divulge the justification for their halakhic interpretations, as we observe in the later compiled *Mishnah*. The rabbinic pronouncements asserting the Sinaitic source of the Oral Torah also bear the character of a later allegation.

[42] Najman, "Interpretation," 389, writes that interpretive problems "plagued Second Temple interpreters" and that *Jubilees* supplied "ingenious solutions" to demonstrate the authority of its interpretations.

[43] As is commonly assumed, the solar calendar was indeed in use in Israel before the change to the lunar-solar calendar, and Qumran opposed the change.

[44] Najman, "Interpretation," 394.

[45] We read there, "and on the heavenly tablets the division of days is ordained, lest they forget the feasts of the covenant and walk according to the feasts of the Gentiles after their error and after their ignorance."

by God, and "were not given in writing long before Sinai," as Najman alleges,[46] but were reached by Enoch by his own studies and research, (expressed in modern language), as we read in *Jub*. 4:17–18: "And he was the first among men that are born on earth who learnt writing and knowledge and wisdom and who wrote down the signs of heaven according to the order of their months in a book that men might know the seasons of the years according to the order of their separate months."[47] The correct calendric rules were inscribed in the Heavenly Tablets for reasons of practical necessity, because they would otherwise be forgotten, as we read in *Jub*. 35–36: "for the book (lies) written before me, and on the heavenly tablets the division of days is ordained, lest they forget the feasts of the covenant and walk according to the feasts of the Gentiles after their error and after their ignorance," as will indeed occur: "all the children of Israel will forget and will not find the path of the years, and will forget the new moons, and seasons, and Sabbaths" (*Jub*. 6:34–35). Moses was ordained by God to exhort the Israelites to observe the holidays at the correct times: "And command thou the children of Israel that they observe the years according to this reckoning—364 days, and (these) will constitute a complete year, and they will not disturb its time from its days and from its feasts" (*Jub*. 6:32). Noah and the Patriarchs performed the feasts at their correct times, since they were universally disclosed by Enoch and were not yet forgotten, and they correctly fulfilled the Sinaitic revealed laws, as both the rabbis and *Jubilees* maintain. Najman deduces the antiquity of the solar calendar from the narrative in *Jub*. 16:28, affirming that Abraham celebrated the Festival of Tabernacles at its time (that is, at the correct time), but overlooks the above-cited indication in *Jubilees* that Enoch disclosed the correct calendar to humans much earlier.[48] In light of the above, it seems to me that Najman's conjecture that *Jubilees* may have been perceived as enjoying a higher authority than the Mosaic revelation at Sinai because of the "prior revelation" of the calendric rules has no real foundation. The same applies to Himmelfarb's conjecture that the Heavenly Tablets, containing laws that do not appear in the Torah, "serve as a source of divine authority that trumps the authority

[46] Najman, "Interpretation," 390.

[47] According to the account in *1 En*. 74:1–16, the angel Uriel showed Enoch the concrete movements of the Luminaries on a tour of heaven, but, in effect, Enoch himself wrote down the results of his own observations and of the use of a mathematical accounting system; hence, this was not a real revelation.

[48] Najman, "Interpretation," 393.

of the Torah."[49] I dispute her allegation that *Jubilees* quotes laws that do not appear in the Torah, as argued above; there is therefore no basis for Himmelfarb's conjecture that "*Jubilees* demotes the Torah by undermining its claims to uniqueness and completeness."[50] Notably, Qumran literature does not cite *halakhot* from *Jubilees*, nor did Qumran use *Jubilees* to substantiate their particular *halakhot*; this demonstrates the attitude of these scholars toward *Jubilees* from the perspective of its significance in the matter of *halakhot*.

We can observe some marked distinctions with respect to the character of the rules in *Jubilees* and the manner of their primeval transmission. Some of the laws specified in *Jubilees* were disclosed to all humanity in the pre-Sinaitic era, but others were not disclosed even to Jacob's sons (*Jub.* 33:16). For example, the rules on new plants were disclosed to Enoch for universal transmission (*Jub.* 7:36–38), and the prohibition on killing humans and consuming blood (*Jub.* 7:28)[51] were similarly disclosed to all of Noah's sons and descendants. By contrast, the prohibition on intercourse with one's father's wife was not disclosed even to Jacob's sons (*Jub.* 33:16). *Jubilees*' approach to the disclosure of the technical details of the calendar is indeed *sui generis*; Enoch, as we have seen, discovered them himself and ordered their transmission to all humanity. The purpose of the inscription of the calendric rules in the Tablets to prevent their being forgotten seems to me unique among *Jubilees*' rules.

A comparison of the sections of *1 Enoch* and *Jubilees* relating to the calendar offers insight into the distinct purposes of the two texts with respect to the calendar and its importance. *1 Enoch* dedicates an entire book of eleven chapters, brimming with facts, to the astronomical cycles, and barely four verses (82: 4–7) to their concrete implications. It mentions the errors of those who do not understand the correct rules and make erroneous calculations, but does not specify the consequences of such errors. In contrast, *Jubilees* dedicates just one short phrase to Enoch's comprehension of the signs of heaven, with no mention of how he reached it, but, conversely, furnishes extensive information about its importance for the correct fulfillment of the commanded holidays and its past and future effects. This approach demonstrates *Jubilees*' concern

[49] Himmelfarb, "Torah, Testimony," 27.

[50] Ibid., 28.

[51] It is remarkable that *Jubilees* does not declare that these laws, which correspond exactly to the Mosaic commands and do not represent interpretations, are written in the HT. This may support the thesis that the main purpose of *Jubilees* is to confirm the legitimacy of its interpretations of the biblical laws.

for the correct observance of the Mosaic holidays and the correct performance of their specific commands, in contrast to its trivial attitude toward the physical facts of the calendar. The author of *1 Enoch* seems to be driven by the urge to show off his scientific astronomical knowledge; he gives little attention to the effect of erroneous calculations by others. This comparison confirms the perspective of *Jubilees* as centered on the correct fulfillment of Torah precepts according to the correct interpretations and traditions as understood by *Jubilees*' author. The claim that the accurate calendric rules are written in the Heavenly Tablets is simply a device to prove the rules' legitimacy. The manner in which these interpretations and traditions were attained, when and to whom they were disclosed, are secondary and of no importance, despite what Najman and others allege; it certainly does not grant them prominence over the Mosaic Torah, of which they are deemed to be the faultless interpretation.

Jubilees (28:6) declares that giving the younger daughter in marriage before the elder is a sin, and supports this assertion by means of Laban's justification that he proceeded according to the custom of the land (Gen 29:26). This seems to be the only regulation in *Jubilees* not founded on an interpretation of a biblical command. Charles' manuscript records that "it is ordained and written in the heavenly tablets";[52] however, some other MSS do not include this sentence, and in the text of García Martínez, "The Heavenly Tablets," 257, it appears in parentheses, indicating its doubtful origin. Whereas the other *halakhot* of *Jubilees* are found in Qumran writings, there is no hint anywhere, so far as I am aware, of such a rule's existing in Israel. In fact, Laban himself declares that "it is not customary in our country," affirming that the rule is not a universal one. Further, there are some oddities and inconsistencies in his justification: Laban first justifies his deed by reference to his country's custom, then later claims that it is ordained and written in the Heavenly Tablets. Moreover, this raises the question of how Laban knows what is written in these Tablets. Laban is not presented in Scripture as an exalted personage, and it seems illogical that the contents of the Heavenly Tablets should be revealed to him and not to Jacob, who was obviously unaware of this regulation, as we observe from his reaction: "Why hast thou wronged me? Take thy daughter, and I will go; for thou hast done evil to me" (Gen 28:4–5). In light of the above, it seems plausible to assume that the sentence claiming

[52] *The Apocrypha and Pseudepigrapha of the Old Testament* (2 vols.; ed. R.H. Charles; Oxford, 1913).

the presence of this rule in the Tablets is not authentic. Thus, the presence of this regulation would confirm that the authentic content of *Jubilees* consists exclusively of interpretations and supplementations of biblical commands and narratives.[53] Qumran scholars and Qumran writings that validated *Jubilees* also perceived it as an interpretation, as we read in CD-A XVI:2–4: "And the exact interpretation of their ages about the blindness of Israel in all these matters, behold, it is defined" (מדוקדק) in "the book of the divisions of the periods according to their jubilees and their weeks."[54] An interpretation cannot enjoy a higher status than the original text; at most it may attain equal rank with the original.[55] I wonder, therefore, how Najman reconciles her statement that "*Jubilees*, in both its opening and closing lines, appeals to the authority of the Mosaic tablets of the Torah"[56] with her assertion that "*Jubilees* belongs to a family of texts that claims an equivalent or *perhaps even a higher* than that accorded to Mosaic revelation."[57] To me, the chasm between the two pronouncements seems unbridgeable.

5.2. Contrary Arguments and Conclusion

I have suggested above[58] the plausible motives behind some of *Jubilees*' interpretations of biblical commands and its additions to or expansions of biblical narratives, to demonstrate their close association with the Mosaic Torah. The scrutiny of all the rules written on the Heavenly Tablets and enumerated in *Jubilees* to reveal in each the justification for its inclusion in the list, however, is not within the scope of this study; indeed,

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[53] Najman, "Interpretation," 398, draws attention to the fact that the Sabbath laws of *Jubilees* "are not to be found in their entirety anywhere in the biblical corpus, although they have definite biblical origins." *Jubilees*' method of authenticating itself as the correct interpretation of the Mosaic Torah is comparable to the biblical declaration in *m. Hag.* 1:8: "The *halakhot* of the Sabbath, the [individual] offerings of the holidays and the unlawful use of the sacred property are like mountains suspended on a hair, since there are many *halakhot* supported by a minimal scriptural text."

[54] This is the interpretation of García Martínez and Tigchelaar. M. Abegg translates it in the electronic version as "everything is laid out," which expresses the identical concept of interpretation. The German equivalent of "interpretation" used by biblical scholars is *Auslegung*, literally "laid out," as used by Abegg.

[55] White Crawford, *Rewriting Scripture*, 14, writes that *Jubilees* makes the claim to divine authority as its base text.

[56] Ibid., 398.

[57] Ibid., 394.

[58] On pp. 213–215.

such an undertaking would require a separate study. I have analyzed a few such instances and concluded that they have similar justifications; I believe that this reality applies to all regulations in *Jubilees* that are alleged to be written in the Tablets.

Having demonstrated that, from a number of perspectives, there is no justification for attributing to *Jubilees* an intent to set itself above the Mosaic Torah, I believe that the opposite seems rather evident: The author attempted to bestow authority on his interpreted *halakhot* by asserting that they had been given to Moses, but that he himself was appointed to reveal them to the Israelites.[59] His *halakhot* thus constituted a revelation of the correct interpretation of and a completion of the lacunae in some of the Pentateuch's commands and narratives.[60] We can compare this to the rabbinic belief that the entire Bible (all twenty-four books) is God's revelation, bearing the same holiness and authority, but Moses was not the only one who wrote it, meaning that it was also revealed to other writers.[61] Some of these authors attributed their compositions to pseudonyms—the Psalms to David, the Wisdom books to Solomon—whereas the author of *Jubilees* and the *Temple Scroll* remained anonymous. Moreover, we have to consider the ancient circumstances; when a text appeared that claimed a divine or ancient source, people, or at least some proportion of people, believed the claim, with no suspicion of fraud. With respect to Jewish writings, this trend began with the appearance of the Pentateuch, followed by the writings of the Prophets, the Psalms, the Wisdom books, the Apocryphal books, and finally the sudden appearance of the kabbalistic *Zohar* in the thirteenth century, attributed to the Tanna Rabbi Simeon ben Johai of the first century CE. Some writings were acknowledged by the majority of intellectuals and persisted, together with the belief in their attributed source;

[59] Najman, "Interpretation," 381: "a deep aspect of Jubilees is a connection between the claim to authority and the already authoritative sacred writing of the Torah of Moses."

[60] The revelation of a lacuna is also a significant and useful revelation; it does not conflict with *Jubilees*' claim of revelation, as alleged by Najman, "Reconsidering *Jubilees*," 231. Revelation is not paradoxical to interpretation, as Najman claims (at 237), just as the rabbis do not perceive any oddity in the idea that God revealed the Oral Torah, the correct interpretation of the Torah, to Moses and he then revealed it to Aaron and all of Israel, as cited above the narrative of *b. Erub*.

[61] *B. Bat*. 14b–15a records who wrote what: "Moses wrote his book, the narrative of Bileam and Job; Joshua wrote his book and eight verses of the Pentateuch [about Moses' death (Rabbi Simeon disputes this, asserting that God dictated them to Moses and he wrote them while crying)]; Samuel wrote his book, Judges and Ruth"; and so on.

others, with a small number of devotees, disappeared from the horizon of the Jewish people. I would like, therefore, to question the merit of attempting to categorize and classify those ancient writings and draw crucial conclusions from them according to our contemporary ideas, particularly if our goal is to reveal their reception by their ancient readers.

Before concluding the deliberation on the relationship between *Jubilees* and the Torah, I would like to express some thoughts about the much-debated concept of its "authority," equal or superior to that of the Torah, in the Qumran community. I have attempted to demonstrate above that a "competition" between the two texts did not exist, as alleged by some scholars. From the scholarly ideas about its authoritative status, however, one receives the impression that this conception is built on a scenario[62] in which, with the appearance of this text in the second century BCE, the Qumran community acknowledged its authority and accepted its *halakhot* in place of the existing code of conduct. I have doubts as to whether such a premise accords with reality. I would rather assume that at this time, as in the later period, different customs and *halakhot* circulated among the Jewish public, since there was no supreme authority in Israel whose decisions were universally acknowledged.[63] In consequence, each aggregation of people (these were not necessarily organized groups) who followed a specific *halakhah* or set of *halakhot* believed that their interpretation of the Torah's commands was the correct one. The intellectuals of each of these groups tried to convince the members of their own group, as well as their opponents, of the credibility of their interpretation, as we observe in the polemic text of 4QMMT and other Qumran writings. Some unidentified intellectual tried to convince others of the correctness of his views by composing the *Book of Jubilees*. To bestow on it maximal authenticity, he linked many *halakhot* to historical events recorded in Scripture; he also added extra-biblical details to scriptural narratives, based on those circulating in Jewish society and, plausibly, also some drawn from his own creative mind. I would assume that the group of people (including some current or future members of the Qumran community) who upheld these *halakhot* embraced this text as authentic evidence of the correctness of their views. I consider it plausible, therefore, that it was not the appearance of the *Book of Jubilees*

[62] See, for example, Hopkins, "Authoritative."

[63] See Heger, *Pluralistic*, 222–232, on the fiction that the Sanhedrin fixed a unitary *halakhah* at upcoming disputes.

that induced Qumran to accept its authority and mend their previous ways; rather, *Jubilees* was acknowledged by Qumran as a validation of their existing beliefs and customs. We do not possess hard evidence to assert unequivocally which event preceded the other—the appearance of *Jubilees*, or the circulation of its *halakhot* among the Israelite public and the formation of the Qumran group.

In conclusion, I would tend to suggest that the circulation of these *halakhot* occurred prior to the other events and that it was not the author of *Jubilees* who devised them; he merely attempted to validate them. In fact, Qumran does not justify the correctness of their interpretations by alluding to the Heavenly Tablets, even in their polemic writings or accusing their opponents of distorting the interpretation of biblical commands. This fact is particularly remarkable with respect to the rule of the fruits of the fourth year; although the Qumran *halakhah* differs from the rabbinic, and is plausibly among the *halakhot* that do not appear in the Torah, according to Himmelfarb's theory,[64] it does not use *Jubilees* for its justification. The Qumran community retained *Jubilees* in their library, but did not use it as evidence for the correctness of their views; instead they referred directly to the biblical texts, using such terms as אמר אנו אומרים חושבים כתוב "We say/think, it is written/said." This indicates that *Jubilees* was not the source of their *halakhot*. Himmelfarb's claim that *Jubilees* was considered in Qumran as an authoritative work with respect to the law, since "the *Damascus Document* (XVI: 4) cited it as an authoritative work,"[65] cannot serve as evidence for the significance and authority of its *halakhot*, since the passage in CD relates to the "divisions of time," not to *halakhot*. From the historical perspective, I perceive a comparison with the process of creating the Pentateuch: the various religious and historical traditions circulating in Israel were amalgamated and absorbed into one Mosaic Torah early in the Second Temple period, or somewhat earlier,[66] and therefore the different MSS

[64] Himmelfarb, "Torah, Testimony," 26 writes: "six laws not found in the Torah" [refer to "heavenly tablets in Jubilees." However, she does not identify them.

[65] Ibid., 29.

[66] I disagree on this issue with Jack T. Sanders, "When Sacred Canopies Collide. The Reception of the Torah of Moses in the Wisdom Literature of the Second Temple Period," *JSJ* 32 (2001): 121–136 at 133, who argues for a "blending of the Mosaic Torah into traditional wisdom." I perceive the opposite type of blending, that is, the absorption of the traditional wisdom by the Mosaic Torah, which became the all-encompassing view of reality and the guide to the correct way of life. A law that came into being as the result of wise human reflection became a law commanded by God.

of the Pentateuch do not show significant variations.[67] In the late Second Temple period, manifold variants of the Torah's interpretations circulated in Israelite society, among them those of *Jubilees* and the Dead Sea Scrolls. Some, those coinciding with the opinions of the rabbis, were ultimately absorbed and unified by the rabbinic movement, whereas the *halakhot* rejected by the rabbis and the apocryphal literature were utterly eliminated from the bookshelves of Jewish society.

[67] The only exception is the Samaritan text of the Ten Commandments, in which the tenth commandment calls for the construction of the Temple on Mount Gerizim; the other variations are negligible.

CHAPTER SIX

ANOTHER LOOK AT DUALISM IN QUMRAN WRITINGS

6.1. Introduction

The discovery of the three related scrolls known as the "Manual of Discipline," the "War Scroll," and the "Hodayot" has led to a tendency to perceive in these writings, particularly in the *Treatise on the Two Spirits* (1QS iii:13–iv:26) and in 1Q33 (1QM[ilḥamah] = 1QWar Scroll [Rule]) certain peculiar beliefs transplanted from the Zoroastrian religion. I refer in particular to the theory of dualism, the fundamental element of the Iranian creed, and the interconnected theory of predestination. This inclination to detect an Iranian influence on Israelite faith has precipitated arguments about an apparently unrestrained tendency to find dualism and predestination in Qumran literature. Initially, most scholars did not dare to contradict this general trend, and the few contrary voices were ignored. Only later did scholars realize that most of the assumed instances of dualism found in Qumran texts cannot be considered to represent cosmic dualism, and instead proposed a number of different dualisms—psychological, ethical, and so on. Yet despite these modifications and the many questions that arose from a meticulous scrutiny of the relevant texts, the "dualism" label seems to be indelible, in spite of the awareness that dualism does not accord with the bulk of Qumran literature. One cannot exclude the contingency that this attitude was motivated by an ideological predisposition to perceive in the late Second Temple period a trend or even a shift toward a new direction in Israelite doctrines. My impression was that these issues had been amply discussed and that there was no scholarly interest in renewing the debate. In a recent study, however, Levison concludes his compilation of scholarly studies on dualism in Qumran with the assertion that the issue is not resolved because of "a bewildering lack of consensus."[1] This statement has motivated me to

[1] John R. Levison, "The Two Spirits in Qumran Theology," in *The Bible and the Dead Sea Scrolls* (ed. J.H. Charlesworth; Waco, TX: Baylor University Press, 2006), 2:169–193 at 193.

challenge the supposed dualism in Qumran writings, initially generated by an assumption of Persian influence, and to demonstrate the relevant texts' affinity with and origin in Scripture. After 60 years of study of the "Manual of Discipline," it is time now to reconsider entrenched opinions.

6.1.1. *Methodological Issues*

Scholarly scrutiny of Qumran literature and deliberations on its intrinsic theological/philosophical essence are often based on the assumption, first, that this literature shows a defined and consistent philosophical system, and, second, that Qumran writings attempted to answer questions posed by our contemporary modes of thought. This is far from the reality; dilemmas such as the source of evil, theodicy, and the exact definition of angels' essence did not concern the Qumran community as fundamentalist believers,[2] as is explicitly stated by Philo, their contemporary,[3] just as such concerns do not trouble present-day fundamentalist believers.[4]

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[2] We encounter such attitudes in ancient literature. A striking example is the dilemma resulting from the divine command to Adam not to eat from the Tree of Knowledge of Good and Evil, which implies that God intended humans to remain without wisdom, like the animals—an assumption which does not seem logical or concordant with the array of scriptural exhortations to choose the good and despise the evil, the significance attributed to wisdom, or the significant topic of good and evil in Qumran writings. We encounter no discussion of this apparent oddity either in Qumran literature or in rabbinic writings. On the contrary, in 4Q504 (4QDibHam-a) I:4–6, we read that God has filled man with understanding and knowledge at his creation, before putting him in the Garden of Eden. These contradictions demonstrate the utter lack of interest in philosophical issues. The rabbis and the traditional commentators are concerned, rather, with explaining the explicit contradiction in the biblical text between the divine warning to Adam that he will die if he consumes the fruit of this tree and the different punishment that he in fact incurs for doing so. The rational commentator Ibn Ezra declares that Adam was extremely intelligent before eating from the Tree of Knowledge; God asked him to name all the other creatures, and accepted his ability to give them suitable names, as is written: "whatever the man called each living, that was its name" (Gen 2:19). He was unable only to discern between good and evil, according to Ibn Ezra.

[3] We read in *Quod omnis probus liber*, § 80, in Philo's portrayal of the Essenes: "and leaving the logical part of philosophy, as in no respect necessary for the acquisition of virtue, to the word-catchers, and the natural part, as being too sublime for human nature to master, to those who love to converse about high objects (except indeed so far as such a study takes in the contemplation of the existence of God and of the creation of the universe), they devote all their attention to the moral part of philosophy, using as instructors the laws of their country which it would have been impossible for the human mind to devise without divine inspiration."

[4] Collins, "Interpretation," at 33, writes that "ancient exegetes were not unaware of the differences" in Scripture, "and could exploit them when it suited their purposes … but they did not feel constrained by them, as a modern interpreters might."

Nor was Qumran concerned with apparent theological inconsistencies in the Bible. The fact that the concept of dualism is utterly in conflict with defined and unquestionably established Israelite doctrines was—after the first enthusiasm—duly considered by scholars, but not enough significance was accorded to this conflict to stimulate any radical challenge to the trend. The same may be said with respect to the scholarly assessment of Qumran's use of scriptural terms and concepts in their writings. The theological significance of these terms and concepts was inadequately evaluated, and this led to a particular approach to the Qumran writings; the likelihood of inner Israelite religious development was overpowered by the search for foreign influence. I have given more significance to the above issues. It is inappropriate, in my opinion, to impute to Qumran a theology that blatantly contradicts explicit scriptural dicta, on the basis of interpretations and deductions founded on our contemporary manner of thought. My study in this chapter attempts to substantiate my proposition of Jewish sources for Qumran concepts[5] through analysis of the relevant Qumran texts, comparison with scriptural and rabbinic citations, and logical considerations.[6] I will not attempt to cite and debate each scholarly opinion separately; instead, I will limit myself to those that clearly conflict with my thesis or that support it, fully or partially.[7]

My rebuttal of dualism in Qumran proceeds as follows. I first offer a caveat against the argument of foreign influence in general and Persian influence in particular. I then argue that there is actually an unbridgeable chasm between apparently similar Persian and Jewish concepts, and a

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[5] Devorah Dimant, "The Scrolls and the Study of Early Judaism," in *The Dead Sea Scrolls at Fifty* (ed. R. Kugler and E. Schuller; Atlanta: Scholars Press, 1999), 43–59 at 43, writes that "the tendency of the early research [was to] emphasize the affinities observed between the scrolls and the New Testament rather than their links with contemporary Judaism." This may be why scholars postulated Qumran ideologies that would explicitly conflict with scriptural dicta. In consequence, Dimant further declares, "the qumranic stringent practice of biblical law had no real place in such a picture" (44); however, Qumran's "Jewish character and links to Second Temple Judaism are well recognized today" (46).

[6] As A. Baumgarten, "Who Cares and Why Does It Matter? Qumran and the Essenes, Once Again," *DSD* 11 (2004): 174–211 at 188, suggests, "rabbinic texts need not be identical to Qumran texts in order for each set of sources to help us understand the other." L. Ginzberg, *An Unknown Jewish Sect* (revised and updated translation; New York: Jewish Theological Seminary, 1970), maintains that just as the Damascus Document helps to explain rabbinic law, rabbinic philosophy/theology can also help us to understand Qumran thought.

[7] Levison, "Two Spirits," 172–184, presents the quintessential summary of published studies on the Two Spirits discourse.

blatant conflict between dualistic concepts and scriptural and Jewish doctrine. In my opinion, scholars have not granted enough significance to the fact that dualism conflicts utterly with Israelite doctrines. Next I examine in detail various Qumran concepts that have been related to dualism, such as evil, light and darkness, and the essence of angels, and the problematic text of 1QS iii 19. I then attempt to refute the arguments that induced scholars to attribute dualism to Qumran; as part of this reasoning, I show that Qumran was not concerned about a coherent theology or about resolving theological dilemmas. Finally, I attempt to substantiate the proposal that Scripture was the origin of the Qumran Two Spirits theory.

I wish to state explicitly that my postulate is a hypothesis, as, in my opinion, are all the other scholarly assumptions; it is impossible to establish the essential principles even of a modern author by deduction from his writings, and this process is all the more unreliable with respect to documents composed in the distant past and in very different circumstances. I fully agree, in this respect, with the methodological premises of Professor F. García Martínez in his article "Iranian Influences in Qumran?"[8]

6.1.1.1. *Incorporation of Terminology versus Influence*

On the question of foreign influence, García Martínez appropriately asks the primary question: How is it possible to discern whether an apparently innovative custom or idea in one culture represents foreign influence through contact with another culture, or whether it instead constitutes an internal development? He then establishes parameters for resolving this question. One of these is the appearance of the Persian term *Asmodeus* in *Tobit*; here, in his opinion, we possess evidence of Iranian myths in Jewish writings of this period. Since *Tobit* was found in Qumran's library, it appears plausible that Iranian myths had a similar impact on Qumran. Further evidence for Iranian influence is the mention of a bridge, גשר תהומות, in lines 11–15 of 4Q521 7+5 ii, during the passage of the dead after their final judgment—unquestionably a Persian myth.

I will first comment on the clues that are assumed to attest similarity between Israelite and Persian myths, and then indicate the significant

[8] Florentino García Martínez, "Iranian Influences in Qumran?" in *Apocalyptic and Eschatological Heritage: The Middle East and Celtic Realms* (ed. M. McNamara; Dublin: Four Courts, 2003), 37–49.

factual and theological dissimilarities. I wish to stress here that it is not within the scope of this study to discuss the possibility of Persian influence on *Scripture*. Even given such an influence, Qumran's concepts would reflect an internal development of Jewish sources, since they are founded on Scripture. In contrast to García Martínez' above-stated opinion, James Barr, among other scholars, disputes the validity of the use of loanwords in general, and of the occurrence of Asmodeus in *Tobit* in particular, as evidence of cultural influence.[9] Loanwords indicate a marginal cultural contact, which undeniably existed, but not a religious, theological influence. Barr also demonstrates, with relevant examples, the Jews' utter lack of interest in Persian religion and customs; there is no mention in the Jewish literature of the time of Persian beliefs or customs. Scripture's graphic portrayal of some customs of the Persian court are literary props necessary to set up the drama;[10] they show the Jews' interest in and knowledge of the court's administrative workings, its procedures, and its intrigues, but also demonstrate their lack of interest in the Persian way of life, manner of cult, and religious beliefs. This lack of interest is confirmed by noting, in contrast, the curiosity of the Greeks, for whom Herodotus wrote his *Histories* with ample details of life in foreign lands, court plots, and religious customs and beliefs. Thus, the fact that some Persian terms indeed penetrated into the Hebrew language is not evidence of the incorporation of any theological elements, particularly with respect to ideas that conflict with well-rooted Jewish beliefs. The absorption of loanwords and the adoption of ideas are utterly different processes, and must be considered accordingly.

6.1.1.2. *Israelite Accommodation to Foreign Myths and Customs*

Israel has no doubt been influenced, throughout its history, by many Eastern myths and customs, and also by innovative Persian religious concepts. But it has always, with noteworthy persistence, changed the inappropriate details of the customs and concepts it has integrated, as well as, in most cases, their motives. The Israelites bestowed on such

[9] J. Barr, "The Question of Religious Influence: The Case of Zoroastrianism, Judaism and Christianity," *JAAR* 53 (1985): 201–235 at 211–217. Barr questions the Persian influence and suggests the probability that this term derives from the Semitic root שמד "destroy"; he cites a demon by the name of Shimadon in *Gen. Rab.* 36.

[10] See Richard Nelson Frye, "Reitzenstein and Qumran Revisited by an Iranian," *HTR* 55 (1962): 261–268.

customs and concepts an utterly different ideology, appropriate to their credo;[11] these importations were in effect "Judaized," and their original significance completely obliterated.[12]

The biblical narratives of creation, the flood, Noah's offering after the flood and the motive behind the three main holidays—whose previous rationale remained in Scripture—are only a few examples of Semitic myths and customs integrated into Judaism with a style, manner, and theological significance totally different from their original sources. The allusions in Scripture to God fighting with and annihilating a dragon and similar primeval creatures,[13] which may have been Mesopotamian in origin, were definitely perceived as metaphorical in the period of Qumran, and do not represent a dualistic world-view of YHVH battling an evil cosmic power.

This process of absorption continued in the post-biblical period. The water libation and the procession with willow branches around the altar at the Sukkot festival, known to Qumran scholars,[14] are two examples of customs of foreign, probably Canaanite, origin[15] for which the rabbis attempted to reveal biblical sources[16] and on which they bestowed a Jewish ideology. Scripture contains no hint of the concepts of reward and punishment after death, of Paradise[17] and Hell, and of the general resurrection of righteous (or of all) Jews before the Persian era.[18] These

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[11] Allan F. Segal, *Two Powers in Heaven* (Leiden: Brill, 1977), 261, in his conclusion regarding mythological motifs, writes that "Israelite culture, as is normal in cases of cultural contact, not only shared the ideas, but transformed them to fit its own scheme of things. The mythology recorded in early Daniel and Enoch traditions was monotheistic." VanderKam, *Enoch and the Growth*, 11, writes, "Jewish writers reworked foreign myths and legends and pressed them into service in their ideological compositions."

[12] P. Wernberg-Møller, "A Reconsideration of the Two Spirits in the Rule of the Community (1Q Serek III,13–IV,26)," *RevQ* 11 (1961): 413–441 at 418, cites this consideration with respect to the possible Persian influence on the Qumran Two Spirits theory.

[13] See, e.g., Isa 27:1, 51:9, Jer 51:34, Ps 74:13.

[14] See Heger, *Cult*, ch. 4, on the identification of the Boethusians, quoted in rabbinic literature in connection with this disputed custom.

[15] We note the dance around the altar by the prophets of the Baal in 1 Kgs 18:26. It is suggested that the Hebrew term חג for holidays derives from the ancient pagan custom of surrounding the altar on holidays, as a sign of reverence and worship; the term חוג describes a circle. *Rashi* interprets it in Prov 8:27 as "surrounding," and in Isa 44:13 he translates מחוגה "compass."

[16] See *t. Sukkah* (Lieberman) 3:1 on the willow procession, and *b. Zebaḥ.* 110b on the water libation.

[17] The term *Paradise*, a common name for the place in which good people are rewarded after their death and judgment, is also of Persian origin (meaning "the king's enclosed forest").

[18] Resurrection is hinted at in the late Book of Daniel.

innovative concepts in Judaism, as we know, were not accepted by the Sadducees but were integrated into the Pharisaic/rabbinic credo. They became normative in rabbinic Judaism, after the Temple's destruction and the disappearance of the different sects, and in Christianity. These beliefs, and some of the vivid portrayals of what occurred on the way to and within the next world, may have been influenced by contact with Persian or other dogmas.[19] Some of these portrayals are imaginative embellishments of the main idea of reward and punishment after death, on which the Jews preferred not to deliberate further, for valid theological motives.[20] However, some were of crucial significance in the Zoroastrian creed but, being incompatible with significant concepts of Jewish belief, were duly eradicated. An example is the waiting period of three days[21] between death and judgment, during which the deceased and his relatives have a chance to improve his standing before the council of judges.[22]

The Zoroastrian belief is that humans are judged on what they have done in this life to aid the cause of goodness, that is, to help the good god Ahura Mazda to win his ultimate war with the evil god Ahura Mainyu. Those deemed worthy of Paradise are led there by a beautiful maiden, and those consigned to Hell are seized by a horrid hag.[23] These and similar ideas did not find a place in Jewish mythology. Those foreign ideas that served the Jews as enhancements of their belief were integrated into their theology, but only after being purged of possibly harmful customs and ideologies and adapted to the Israelites' fundamental beliefs. For example, the Jews bury the dead, because not burying them pollutes the land (Deut 21:23), whereas the Persians do not bury them, because doing so would pollute the land. Persian ideas may have stimulated Jewish intellectuals to conceive similar doctrines, assisted them in their literary

[19] This is not absolute evidence, as these myths may also have been influenced by the Egyptian belief in an afterlife and final judgment. But in this case, too, details related to obstacles on the way to the afterlife, the mummification of bodies, and the provision of food, drink, and other domestic objects in the burial chamber were removed.

[20] Jewish theologians have deliberately left such issues vague; this approach avoids enforcing a particular fixed dogma and leaves such issues open to each person's imagination, relative to his or her intellectual faculties.

[21] Solomon Alexander Nigosian, *The Zoroastrian Faith: Tradition and Modern Research* (Montreal: McGill-Queen's University Press, 1993), 91–95.

[22] Some lesser divine spirits are the judges; Mithra presides, flanked by Sraosha and Rashnu. Mary Boyce, *Zoroastrians* (London: Routledge & Kegan Paul, 1979), 27.

[23] Ibid.

formulation, or even induced them to adopt specific terminology.[24] However, they adopted the labels, not the essence;[25] the Persian terms were given a different meaning.[26] Thus, the similarity of terms or of concepts is not evidence of intrinsically identical characteristics.[27] It is remarkable that the Karaites, who developed their particular creed in Persia, interpreted the dualism theory according to Jewish strictly monotheistic theory.[28]

Again, the fact that Qumran mentions a bridge in its description of what occurs after death does not constitute evidence that Qumran adopted Persian ideologies in their original essence. The relevant text is extremely deficient. Though rabbinic Judaism removed the bridge from their belief system, together with the other imaginative details, its existence in Qumran literature is understandable. Judgment, reward, and punishment after death was a relatively new theological concept in

[24] Shaul Shaked, "Qumran and Iran: Further Considerations," *IOS* 1 (1972): 433–445 at 443, compiles a list of such similarities, but notes also differences in the relevant conceptions.

[25] John J. Collins, "The Mythology of Holy War in Daniel and the Qumran War Scroll: A Point of Transition in Jewish Apocalyptic," *VT* 25, 3 (1975): 596–612 at 601, states that the four beasts who rise from the sea in Dan 7 are analogous to the Canaanite myth of the conflict with the forces of chaos, and that the pattern of four kingdoms in Dan 7–8 derives "from a Persian schematization of history." This may be true, but Collins does not argue that it indicates the Daniel author's adoption of Canaanite or Persian religious theology related to these myths.

[26] Elliott, "Covenant and Cosmology," 23, writes (on the question of the origin of myths used in *1 Enoch*) that "how a written presentation, concept or term is being used in a particular social context is of equal or greater concern … than the simple fact that it is being used." He states, at 36, that "the cosmology of AB and BW [segments of *1 Enoch*, assumed to originate from Babylonian myths and scientific knowledge] are remarkable examples, not of adopting the science or religion of neighbours, but of adapting widely held beliefs for their own purpose." The same is equally true of assumed traces of Persian mythology in Qumran and other Jewish narratives and theology.

[27] Barr, "The Question," 211, states that Persian loanwords in Hebrew and Jewish Aramaic of the earlier period seldom show signs of acquaintance with the major ideological systems of the Iranian people. This statement is in broad agreement with my thesis. There are indications that the Jewish belief in reward and punishment after death was probably inspired by Persian myth; but in this case, as in others, significant elements incompatible with fundamental Jewish doctrines were rejected.

[28] Shur, *History of the Karaites*, 31–32, 50, writes that the renowned Karaite theologian Daniel Alkomisi, of North Persian origin and apparently influenced by Iranian Dualism, interpreted, in his writings, the Mazda and Manichean ideologies of the contrasts between good and evil, light and darkness, into monotheistic concepts. Another Karaite theologian, Joshua ben Jehuda, wrote in his philosophical treatise that God is connected to good and bad; He performs the good, but is also able to do the harmful.

Judaism, and it is plausible that it initially included some innocuous details from the original Persian source, particularly those which did not conflict with established Jewish faith. Later, other factors were considered, and it was decided to purge anything inappropriate or damaging to Jewish theology.

6.2. A Comparison of 1QS with Persian Dualism

I wish now to assess whether the *Treatise on the Two Spirits* in 1QS reflects any sort of dualistic theology. I would argue, primarily, that there is a complete incompatibility between Persian dualism and Jewish belief, and that Qumran doctrinal writings demonstrate unequivocally their adherence to biblical theology. There is in some respects a resemblance between the good and evil spirits in 1QS iii 18 and Iranian myth, in terms of the eschatological ultimate disappearance of the evil spirits at the end of days, after constant battles between the cosmic powers of good and evil. However, their fundamental ideological bases are completely incompatible. Their resemblance is rather like that of an ocean and a brook: both contain water.

Persian dualism and Jewish belief are essentially opposed, but to demonstrate this we must first clarify the character of Persian mythology.

Since it is not within the scope of this study to elaborate on Zoroastrian dogma, I will limit my description to what is necessary to make my point. Two trends dominate the portrayal of Persian belief by contemporary scholars. One perceives two principal powers: a creator, who embodies the principles of goodness, and its adversary, the creator of all evil, natural and moral, who embodies the principle of evil. They are in constant battle for domination of the world. At the end of cosmic time, the good will triumph over the evil, and all evil will disappear.[29] The idea that the world is ruled by the antagonistic forces of good and evil is a dualistic world-view, distinct from true monotheism. For this characteristic of Zoroastrian doctrine that the world is ruled by two principal and independent antagonistic forces of good and evil, Thomas

[29] Nigosian, *Zoroastrian Faith*, 91; Robert Charles Zaehner, *The Dawn and Twilight of Zoroastrianism* (New York: Weidenfeld & Nicholson, 1961), 179, perceives this type of Zoroastrian dualism as Mazdean. The good god is the absolute light, and therefore light is worshipped; the origin of the world was both light and darkness, and there is a struggle between them. Qumran could never have envisaged such an ideology.

Hyde, an English Orientalist, coined the term "dualism" in his chief work, *Historia religionis veterum Persarum* (1700). The two warring powers represent the authentic Iranian theory of cosmic dualism. It would be outrageous to associate Qumran with such a dogma, which must have been perceived as patently heretical to Jewish minds and to the fundamental belief that God is the only ruler of the world.[30] Such an interpretation of Qumran texts would unquestionably have conflicted with the horizon of expectations of the Qumran Community and its religious imagination, shaped by their experience of Scripture[31] and particularly by Isa 45:7, quoted below. S. Shaked postulates that even the concept of Iranian dualism—representing two equal powers, the two extremes of good and evil—cannot be applied too rigidly, because "such faith does not seem to have existed anywhere."[32]

6.2.1. *Persian "Monotheistic" Dualism versus 1QS*

The other Iranian doctrine asserts the existence of one superior primordial god who engendered twins,[33] one of whom chose to be good and the other evil; they fight constantly for domination of the world until the demise of the evil one. This Zoroastrian doctrinal structure does not represent a strict cosmic dualistic world view, since there is one supreme god.[34] This god did not create evil, which is not a metaphysical entity

[30] Millar Burrows, *More Light on the Dead Sea Scrolls* (New York: Viking Press, 1958), 291, had already recognized that the "dualism of the sect … was not a metaphysical dualism."

[31] See Kugler, "Hearing 4Q225," 83.

[32] Shaked, "Qumran and Iran," 433.

[33] Shaul Shaked, *Dualism in Transformation* (London: School of Oriental and African Studies, 1994), offers another view of the later Sassanian Zoroastrian theology. He notes (at 1), that "to what extent religion in Sassanian Iran can be defined as dualism is the question to what extent Sassanian Zoroastrians defined themselves as dualists." As I am trying to show, throughout much of the Sassanian period the Zoroastrians were probably not self-consciously dualists. Although, in Shaked's view (at 6), the two primary powers, Ohrmazd the good and Ahreman the evil, were, in a way, partners in the act of creation (a theory totally incompatible with Israelite theology), he questions whether this type of Iranian religion can still be considered dualistic, and maintains that the Iranians did not consider themselves dualists. How can we, therefore, envisage Qumran's scholars and the authors of their writings as self-consciously dualist?

[34] Farhang Mehr, *The Zoroastrian Tradition* (Costa Mesa: Mazda Publishers, 2003) at 103, writes, "The dualist theory can be supported neither by the *Gathas* nor by the beliefs of most practicing Zoroastrians." Zaehner, *Dawn and Twilight*, 180–182, calls the followers of this ideology "Monotheists" and states that it "is not dualistic at all." A third sect, the Zurvanites, had a complex theogony, but it is also not dualistic, since it posited

but a phenomenon arising from human choice. Scholars call this type of dualism an *ethical* or *moral dualism*.[35] One may debate the resemblance of this doctrine of two gods in the monotheistic type of Persian religion to the Jewish Two Spirits theory, but however we interpret it, the two are poles apart. The differences are abundant; I will specify here only the most crucial.

6.2.2. *"Good" and "Evil" Compared in Persian Theology and Qumran*

One of the thorniest issues tormenting theologians of all religions who believe in a god who cares for its creatures is the question of why a beneficent god created evil. How can he be considered a righteous judge, condemning and punishing those who carry out evil deeds, when he himself created evil to be performed?[36] Zoroaster offered a logical answer to the dilemma by asserting the existence of two battling powers, a good one and a bad one, with the good god triumphing in the end. Manichean dogma, in its attempt to find a solution to the same problem, denies the infinite perfection of God and postulates the existence of two struggling powers: a good, spiritual world of light, and an evil, material world of darkness—a real cosmic dualism. Gnosticism maintains the existence of one supra-cosmic, supremely spiritual divine being, by whose error there came about a demiurge, the creator of the imperfect world. Cosmic dualistic theories offer a solution, but these theories are definitely not in the realm of Qumran belief. The monotheistic Persian dogma resolved the dilemma by asserting that evil was created not by the supreme god but only by humans; god, a perfect being, cannot originate an imperfect creation.[37] However, Hebrew Scripture states otherwise, and we read in

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an Infinite Time who was the father of two spirits (the Holy Spirit and the Destructive Spirit) and who divided the world in two spheres, the one above, in endless light, and the other below, in endless darkness.

[35] Mehr, *Zoroastrian*, 91.

[36] Hartmut Stegemann, "Zu Textbestand und Grundgedanken von *1QS* III,13–IV,26," *RevQ* 49–52 (1988): 95–131, writes in his commentary on the above lemmata that evil was created deliberately by God because "jegliches Handlen in der Welt, das nur teilweise 'gut' sein darf, teilweise aber 'böse' sein *muss*. Denn sonst gäbe es für Gott keine Möglichkeit die Welt zu 'überprüfen' " (every deed in the world may be only partially "good," but *must be* partially "evil." Otherwise God would have no possibility to "test" the world). This is one solution offered by theologians to justify the creation of evil.

[37] Mehr, *Zoroastrian*, 109.

Isa 45:7, "I form the light and create darkness, I make peace and create evil; I the Lord create all these things."[38] This verse follows two significant announcements stressing the reality that "there is no else, no God besides me" (in v. 5, with similar wording in v. 6). Thus God is the sole creator of light and darkness, of good and evil. We must assume that Qumran did not overlook or ignore this explicit declaration that God created evil.[39]

[38] This is the KJV translation. The NIV translates, "I bring prosperity and create disaster," which does not essentially change the basic idea that God also created evil, that is, disaster. The LXX translates κακά "evil, wicked," in a moral sense.

[39] Herbert G. May, "Cosmological Reference in the Qumran Doctrine of the Two Spirits and in Old Testament Imagery," *JBL* 82 (1963): 1–14 at 5, who zealously maintains the existence of dualism and predestination in Qumran theology, attempts to reconcile this alleged theology with Qumran's monotheistic belief by asserting that "the Qumranians were not theologians seeking a system of belief neatly and consistently set forth in theological terms." I do not disagree with his general assumption, but its application must be limited. This assumption can explain minor ideological inconsistencies in the Qumran writings and a lack of consideration of how their declarations would be understood by later generations or what philosophical definitions might be deduced from their utterances, but one cannot apply it to reconcile ideas imposed on their writings by contemporary scholars that blatantly conflict with scriptural pronouncements; such ideas would have been repudiated as contrary to their horizon of expectation. The theory of dualism, as perceived by many scholars, would border on heresy; the idea of predestination conflicts with explicit scriptural declarations and with the fundamental biblical maxim of repentance and forgiveness, the antithesis of predestination. The disregard of such crucial elements in certain scholarly assumptions about Qumran theology, which posit the impact of foreign influence in preference to obvious scriptural origins, can be astounding and incomprehensible unless one assumes a strong preconception on the part of these scholars. One example is May's allegation that "since the nations [in the song of Hab 3:12–15] are Yahweh's enemy, the conflict is cosmic" (8). May does not consider that this hymn, like many other biblical hymns and narratives depicting God as a warrior, is strictly symbolic; the portrayal of God overpowering sea monsters (Ps 74:13–14) and similar descriptions seem to be utterly innocuous poetic expressions in a hymn describing divine supremacy, rather than a concrete account of a cosmic battle of Mesopotamian origin. But even if they were remnants of such mythology, inefficiently concealed, this would by no means indicate a qumranic belief in a cosmic battle between God and sea monsters. In reality, the Qumran authors prayed for and expected divine or angelic supernatural assistance to the Israelite fighters, without delving into the issue of how this would be accomplished; questions about the manner in which God acts would be tantamount to disbelief in God's omnipotence. Abraham did not ask how God would provide him with a son at his age, as we observe in Gen 15:6: "And he believed in the Lord; and He counted it to him for righteousness." In contrast, God remonstrated with Sarah for her laugh, alluding to her doubt of God's promise, as we read in Gen 18:14: "Is any thing too hard for the Lord. At the set time I will return unto thee, when the season cometh round, and Sarah shall have a son." This idea appears implicitly in many biblical narratives, of which I will cite one that is relevant to our subject. During the exodus from Egypt, when the Israelites were terrified at the pursuit of the mighty Egyptian army, Moses did not know and did

The significance that Qumran granted to the prophets,[40] and particularly to Isaiah, is well known,[41] particularly with respect to the *eschaton*.[42]

There is thus a strong likelihood that even the Persian monotheistic type of dogma that denies God's capacity for evil was incompatible with Qumran belief. A crucial element of Persian dualistic theology is that Ahura Mazda's "goodness extends to the good and evil alike,

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not ask how God would save them, but said, "Do not be afraid, stand firm and you will see the deliverance the Lord will bring you today" (Exod 14:13); he concluded his speech by declaring, "The Lord will fight for you; you need only to be still" (14:14). Only then did God give Moses concrete commands on how to proceed.

In Exod 17:16 and 1 Sam 15:3, the circumstances seem reversed, but the same principle of cooperation between God and his people obtains with respect to warfare. In Exodus, it is stated, "The Lord will be at war against the Amelekites from generation to generation." In 1 Sam, God commands the people to fight Amalek: "Now, go attack the Amalekites." Deut 20, the rules of war, portrays both divine action and fighting by the people. We read in v. 4, "For the Lord your God is the One who goes with you to fight for you against your enemies to give you victory," and in v. 13, "When God delivers it [the city of the enemy] into your hands …." God's help is unseen, as is His going with the people, and it is the people who do the actual fighting; nevertheless, it is considered that God fights and delivers the enemy to his people. There are no questions about how this is done, or about the nature of God's presence among the people, and this behavior has served as a model for faithful Jews from the period of Qumran until today. In contrast, God's punishment of a people is carried out through the intermediary of another people; see, for example, Judg 3:12. Of a slightly different character is Jer 43:10–13, in which God sends Nebuchadnezzar, king of Babylon, to attack Egypt and bring death and destruction upon it (vv. 10–11). In the following verses (12–13) there is a mixing-up of divine acts and Nebuchadnezzar's acts, similar to the cooperation described above: God will set fire, an intangible element of divine origin, to the temples (written in first person), but Nebuchadnezzar (in third person) will burn them and will shatter the obelisks. A similar confusion between acts of an angel and those of God is found at the theophany before Moses at the burning bush (Exod 3:2–4:17); in 3:2, the angel of the Lord appears in the blazing bush, but in 3:4 God calls to Moses from the midst of the bush. (The KJV translation conforms to the Hebrew text, while the NIV translates all verses in third person.) Qumran authors followed this style in their aspirations and their writings.

[40] Jean Carmignac, "Les citations de l' Ancien Testament, et spécialement des Poèmes du Serviteur, dans les Hymnes de Qumrân," *RevQ* 7 (1960): 357–394, prepared an impressive list of the biblical citations in 1QH[a] Hodayot that show the Qumran authors' reliance on Scripture.

[41] Gershon Brin, *Studies in the Prophetic Literature* (Hebrew; Jerusalem: Bialik, 2006) at 393–394 and 396–397, stresses that great significance is accorded to the prophets in Qumran thought. This is quite noticeable in their writings, though they do not often cite the prophetic source verbatim or by name. They developed ways to connect the biblical prophetic literature and their contemporaneous circumstances, revealing in the prophecies justification for their own actions and the expectation of future advantages.

[42] See the explicit reference to the prophecy of Isaiah regarding the circumstances of the *eschaton* in 4Q174 and 4Q177, particularly with respect to the evil group, a crucial element of the Two Spirits Discourse.

for his nature can never contemplate evil of any kind"[43]—the ultimate separation between all that is good and all that is evil. The God of Israel, in contrast, hates and destroys His enemies.[44] The scholarly allegation of dualism in the *Treatise on the Two Spirits*, founded on the supposed dilemma about the source of evil, falls apart if Qumran believed that God created evil. Many other fundamental elements of the Persian division between good and evil also cannot be reconciled with basic scriptural principles.[45] An example is the division between good animals and bad animals, associated respectively with Ahura Mazda and Ahura Mainyu (Ahriman). The Jewish prohibition against consuming certain animals does not by any means indicate that these animals are associated with evil; all were created by God on the fifth day of creation and confirmed to be good (Gen 1:21).

Further, in contrast to dualism, which is centered on metaphysical powers, there is a very human focus in 1QS. However we interpret the *Treatise on the Two Spirits* in 1QS and its sometimes vague pronouncements, there is no doubt whatsoever that its principal object is humankind—and, in my opinion, only the Israelite people. The *Treatise* is relevant to humans, instructing them about human nature, not about the cosmos, as is evident in its first sentence (III:13). Its goal is to enlighten the human heart and to establish in it respect for the precepts of God (IV:2). The attributes of righteousness and wickedness in the concluding

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[43] Nigossian, *The Zoroastrian Faith*, 73.

[44] God's destruction of His enemies is mentioned throughout Scripture. God also hates His enemies, the evildoers; see Deut 7:10, Hos 9:15, Mal 1:3, and Ps 11:5–6. We encounter the same ideas in Qumran literature; see, e.g., CD XI:13 and 15 (on hate) and 1QS v. 19 (on destruction).

[45] Marc Philonenko, *Apocalyptique iranienne et dualisme qoumrânien* (Paris: Adrien Maisonneuve, 1995), 170, endorses Dupont-Sommer's assertion that the Two Spirits Discourse bears the hallmark of Iran. He ignores, however, the Gatha's assertion, cited on the same page: "Les deux Esprits, lorsqu'ils se sont rencontrés, ont créé le monde" ("the two Spirits, when they met, created the world"). I wonder how such an affirmation could be deduced from the Discourse and how one could impute to the Qumran authors the profession of such blatant heresy. But Philonenko seems unconcerned about this, as we observe from another Iranian dualistic cosmogony he cites. Maintaining the conception of Zervanite (he uses the term *Zervan*, in contrast to the more common *Zurvan*) influence on the Qumran Two Spirits theory, he cites (at 173) its creation narrative: God bore in his breast two twins, and he had in mind to nominate the first-born as king. Ahriman, the evil spirit [probably aware of this decision] pierced the divine breast and emerged [first]. Zervan asked him: Who are you? And he replied: I am your son. Zervan retorted: My son is perfumed and bright, and you, you are dark and stinking. (Any comment on the assumed likeness between the original story in Iranian dualism and Qumran theology seems to me superfluous.)

verses (1QS iv:15–26) unquestionably refer to humans, as their introductory phrase announces: "In these lies the history of all humankind." The cataclysmic end at the eschaton, described in iv:12–14, will also affect humans. Whereas the *Treatise on the Two Spirits* has the goal of influencing human life and behavior and offering an explanation for human misdeeds,[46] as I will argue below, Persian dualistic theology is concerned with the nature of God. Further, in 1QS the topic of angels is secondary and incidental to that of humans; in many Persian doctrines, on the other hand, the role of humans is minimal at most. There is thus an unbridgeable chasm between the purpose and principal subject of the *Treatise on the Two Spirits* and those of Persian theology.[47]

6.3. Scholarly Sub-categorizations of Dualism versus 1QS

It is interesting that this chasm appears to have been overlooked by those scholars who allege a Persian rather than a scriptural influence on Qumran; the main focus of Scripture is also human life and behavior. Through meticulous scrutiny of Qumran texts, scholars have challenged the initial unqualified idea of dualism[48] allegedly discovered in 1QS.[49] However, they came up with a great array of additional types or categories

[46] Mladen Popović, "Light and Darkness in the Treatise on the Two Spirits (1QS III 13–IV 26) and in 4Q186," in *Dualism in Qumran* (ed. Géza G. Xeravits; London: Continuum, 2010), 148–165 at 159, writes, "the text [of the *Treatise on the Two Spirits*] is about mankind's nature."

[47] VanderKam, *Enoch and the Growth*, 155, writing about Enoch's Apocalypse of the Weeks, states that although there are similarities between its narrative and Persian dualism, "the marked differences ought not to be ignored. They center in this case around the issue of dualism—a doctrine that lies at the heart of the Persian systems. The ApW is not dualistic in the sense of the Iranian material." He then enumerates the differences.

[48] Jörg Frey, "Different Patterns of Dualistic Thought in the Qumran Library," in *Legal Texts and Legal Issues* (STDJ 23; ed. Moshe Bernstein et al.; Leiden: Brill, 1997), 275–335 at 278, writes that the texts "labeled dualistic, show notable differences in content and terminology … the uniform form of dualism in the Qumran texts needs further refinement."

[49] Peter von der Osten-Sacken, *Gott und Belial* (SUNT 6; Göttingen: Vandenhoeck & Ruprecht, 1969), 239, whose study is imbued with the theory of dualism, states in his conclusion that the dualism in QS is of an ethical character, that is, of a "softened" type. He considers the dualism in 1QM a "stronger" eschatological dualism: Israel against the world. I will dispute his view of QM in a separate study. Shaked, "Qumran and Iran," conjectures that Qumran's dualism may be called an "unbalanced dualism": since God prefers and assists the good spirits, there are no equal powers, the precondition for a dualistic worldview.

of dualism in Qumran literature,[50] apparently with the intent of saving the label of "dualism" attached by previous scholars[51] as well as some association with Persian dogma.[52] P. Wernberg-Møller is an exception; in an earlier study, he still perceived dualism but noticed its weak points; in his words, it "is not consistent," since "God is the one who created the spirits."[53] In a later study, he changed his mind completely, refuting any foreign influence on the *Treatise on the Two Spirits* and demonstrating

[50] Scholars realized that the Dualism of Qumran is not of an absolute type, that is, a cosmic dualism, but includes many categories of dualism, each of a unique defined character. See Jean Duhaime, "Dualistic Reworking in the Scrolls from Qumran," *CBQ* 49 (1987): 32–56 at 35; James H. Charlesworth, "A Critical Comparison of the Dualism in 1QS 3:13–4:26 and the Dualism Contained in the Gospel of John," in *John and Qumran* (ed. James H. Charlesworth; London: Chapman, 1972), 76–106 at 80. In addition to "moderate" and similar expressions indicating a mitigated dualism as opposed to a radical one, Charlesworth, ibid. at 76 n. 1, lists such attributes as psychological, physical, metaphysical, cosmic (I dispute the occurrence of the cosmic type in 1QS), ethical/moral, eschatological, and soteriological dualisms. Other scholars add spatial, theological, anthropological, radical, softened, dialectical, procosmic, anticosmic, absolute, relative, etc. See, e.g., Duhaime, "Dualistic Reworking," and Wright, *Origins*, 171.

[51] David Flusser, "The Dead Sea Sect and Pre-Pauline Christianity," *ScrHier* 4 (1958): 215–266 at 215–218 and 261 ff., quotes W.F. Albright: "The same ethical dualism [as in the Scrolls] appears throughout the New Testament." He then declares that "a well-known feature of Qumran doctrine is its dualism," with no qualification as to its specific type. Reflecting on the terminology of Light versus Darkness, he perceives a "basic dualistic outlook leading to a fundamental division of all mankind into two camps"—in other words, a cosmic dualism. He also speculates on a possible flesh versus spirit dualism in Qumran, apparently ignoring the incompatibility of such an ideology with the explicit scriptural declaration that at the *eschaton* God will give the Israelites לב בשר "a heart of flesh" (Ezek 11:19 and 36:26). The assumption that Qumran authors would ignore these verses and create a conflicting ideology is unwarranted. The phrase בעוון בשר "a sin of the flesh" (1QS xi:12) and similar expressions do not indicate that the flesh is the source of sin; they describe the fact that the flesh—that is, the human body—performs evil deeds. This does not imply a dualism of flesh versus spirit. 1QM vii:5 bundles together the perfection of flesh and spirit: ותמימי רוח ובשר. There is nothing wrong with flesh; it is the "bad spirit" that corrupts the flesh/body to sin.

[52] The distinction between different types of dualism has induced some scholars to analyze every line in the Two Spirits Discourse with respect to its distinct type of dualism, and has led to questions about its redaction. Similarly, there are various propositions as to whether 1QS was written prior to or later than 1QM. See, for example, von der Osten-Sacken, *Gott und Belial*, 26, who maintains that the text of 1QS iv:15–18 indicates an eschatological dualism, whereas iv:23–26 illustrates an anthropological dualism; he then wonders why the anthropologic segment was not set at the beginning of the lemma, as one would logically expect. Other scholars have proposed later interjections in the text to solve similar problems. It is surprising that these scholars have not considered the likelihood that the Qumran author had no knowledge of anthropology and did not analyze his writings according to the many contemporary categories of dualism.

[53] P. Wernberg-Møller, *The Manual of Discipline* (STDJ 1; Leiden: Brill, 1957), 66.

that 1QS is a Jewish document composed by a community that regarded the Hebrew Bible as their sacred book.[54] M. Treves, on the basis of a diligent reading of scriptural texts[55] and a comparison of Qumran texts to Persian theology, reached a similar conclusion to Wernberg-Møller; he rejected the theory of a Zoroastrian dualism in 1QS and perceived Isa 45:6–7 as the source of Qumran theology.[56] G.R. Driver has also tried to find biblical sources for the development of the Two Spirits theory in Qumran.[57]

P. Sacchi does not perceive any comparison between the Essene "peculiar dualism" and any other type.[58] He rejects the idea that it is a metaphysical dualism and objects even to defining it as a moral dualism, concluding that "if we must find a label … we should choose something like 'dualism on the level of spirits,' though I think the best solution would be to limit ourselves to simply calling it 'Essene dualism.'" It is remarkable, therefore, how some scholars, driven by a bias in favour of foreign influence, seem to ignore scriptural pronouncements and inaccurately interpret Qumran texts.[59] Even Wernberg-Møller, for example, in his

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[54] Wernberg-Møller, "Reconsideration," 415.

[55] Marco Treves, "The Two Spirits of the Rule of the Community," *RevQ* 11 (1961): 449–452 at 449, contends that the term רוח "never meant—in Old Testament language—an incorporeal being, and hence the 'spirits' in QS are simply the tendencies or propensities which are implanted in every man's heart." As I argue below, even the angels do not represent cosmic powers in Jewish myths.

[56] Ibid., 450.

[57] Godfrey Rolles Driver, *The Judean Scrolls* (Oxford: Blackwell, 1965), 551–552.

[58] Paolo Sacchi, *The History of the Second Temple Period* (trans. Thomas Kirk; Sheffield: Sheffield Academic Press, 2000), 335.

[59] May, "Cosmological," 8, for example, sees in many prophetic pronouncements remnants of ancient Canaanite cosmic battles between God and the dragon, concluding that there is a theology of cosmic struggles between good and evil in Qumran writings. He also states, however, that "the author never intended the oracle to be taken literally in all its fantastic details," which seems to contradict his theory. While it is true that one may find traces of ancient foreign mythologies in Scripture, one cannot allege that Qumran built a theology upon these traces; such mythologies had long been discarded in the Jewish faith, but not completely deleted from the texts, and were used in a manner utterly different than May proposes. For instance, he considers "loving-kindness [חסד] and truth [אמת] have met" in Ps 85:10 not as poetic symbolism but as "angelic beings," comparable to "the Iranian Spentas." Any comment seems to me superfluous. A similar premeditated interpretation is found in Philonenko's statement in *Apocalyptique iranienne*, 166: "according to the Instruction of the Two Spirits (1QS iv 2), the world, like mankind, is the theatre of the conflict. The two Spirits confront themselves 'in the world' בתבל and 'in the heart of everybody' בלבב גבר (iv 23)." To reach his goal, Philonenko combines the first subject "the world" from line 2 with the second subject from line 23, though line 2 contains both the terms "world" and "heart." I propose that the interpretation of line 2 alone would indicate the flaws in his inference. There is a

Manual of Discipline, written before his "conversion," interpreted the expression בד בבד שמן אל in 1QS iv:25 as "God has set them apart," though its correct translation is "God appointed them [the good and the evil] in equal parts."[60] To avoid the contradiction between this translation and the theory of predestination, associated with dualism, he interpreted it incorrectly. In his later study he criticizes such practices by the "dualistic" scholars,[61] stating that "the wish is here father to the thought."[62] I consider his arguments persuasive, and therefore will limit myself to adding new arguments or different interpretations of relevant Qumran texts.[63]

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gap between iv:1, in which the term "path" appears in the singular, and line 2, where it appears in the plural; it is thus doubtful to whom the term refers, and I assume that its referent is the good spirits. The context of line 2 indicates unquestionably that their path—that is, their task in the world—is to enlighten the heart of humankind. The term תבל must therefore in this instance be interpreted as indicating the terrestrial world, in which humans live—not the "cosmic" extraterrestrial universe—as the boundary of their work. Philonenko was probably aware of this, and therefore preferred to combine two separate verses to attain his purpose.

[60] The term בד בבד in Exod 30:34 must be translated as "in equal parts" from the context. This corresponds to the translations of the LXX, KJV, and NIV.

[61] In "Reconsideration," 414 n. 3, Wernberg-Møller quotes a similar incorrect interpretation by scholars of 1QS iii:18: "These opposing spirits were both created by God at the beginning of times," as intended to fit the Iranian dualistic theory of two primary powers. He demonstrates that the text states explicitly that these spirits were created after man's creation. May, "Cosmological," contests the rejection of dualism in 1QS by Wernberg-Møller and Treves. He interprets the creation element employed by Wernberg-Møller to corroborate his theory in a totally opposite way.

[62] Wernberg-Møller, "Reconsideration," 415 n. 5. M. Wilcox, "Dualism, Gnosticism, and Other Elements in the Pre-Pauline Tradition," in *The Scrolls and Christian Origins: Studies in the Jewish Background of the New Testament* (ed. M. Black; London: Scribner, 1969), 63–89 at 87, writes, "There is no real reason why the dualism of Qumran should be seen as 'foreign to the OT.' We should be justified in regarding it as an attempt to present what its writers firmly believed to be genuine OT teaching in thought-forms more appropriate to its own day and circumstances." Though his opinion does not concur entirely with my thesis, it demonstrates the reality of internal development of biblical sources in Qumran ideas.

[63] Wernberg-Møller, "Reconsideration," p. 415, n. 5, demonstrates that expressions such as לרוחותם refer to a verity of "spirits" and hence cannot be dualistic. I do not disagree with his arguments (see my comments below on the use of the plural), but I would like to add my conjecture that this expression in other occurrences also hints at the ranks within the group, founded upon the intellectual abilities of each member. The spirits of good and evil are placed in each person in equal parts (1QS iv 25), as is the faculty to discern between good and evil (iv 26); but intellectual facility is not equally bestowed upon each person, and it is the allotment of wisdom in each person that establishes his status in the community.

I too question the function and effectiveness of attaching to 1QS the label of dualism, regardless of what qualifications, such as "ethical" or "anthropological," are attached to it.[64] I believe that what transpires from the Two Spirits discourse is really an issue of polarity,[65] like the distinction between big and small, tall and short, wide and narrow, cold and heat, winter and spring, summer and autumn, and so on;[66] in other words, rather than perceiving its underlying philosophy as dualist, we should comprehend it as founded on the rational idea of polarity, since every concept in human life has its opposite. We should consider Philo's and Ben Sira's worldview on this issue; classifications devised by Jewish philosophers and scholars of the period carry more weight than the thoughts of modern scholars, influenced by their modern education and sometimes subjective preconceptions. In *De Opificio Mundi* (On the Creation) XXIV (73), Philo writes, "Some things again are of a mixed nature, like man, who is capable of opposite qualities, of wisdom and folly, of temperance and dissoluteness, of courage and cowardice, of justice and injustice, in short of good and evil, of what is honourable and what is disgraceful, of virtue and vice." Philo's list includes many of the dispositions attributed to the opposing groups, and this is his perception of opposites, without any dualistic overtones.

Sir writes in 33:14–15, "As evil contrasts with good, and death with life, so are sinners in contrast with the just; see now all the works of the Most High: they come in pairs, the one the opposite of the other"; in 42:24, "All of them come in pairs, one opposite the other; yet none of them is inferior." Their unambiguous doctrine about the divine creation

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[64] See Heger, *Cult*, 149–150, on the occasionally misleading consequences of the labeling of Qumran MSS. See also Steudel, *Der Midrasch*, 151, who convincingly states that 4Q 174 and 4Q 177 "um ein und dasselbe Werk handelt" (are one single opus), although 174 is labeled *Florilegium* and 177 *Catena*.

[65] Maxwell J. Davidson, *Angels at Qumran* (JSPSup 11; Sheffield: Academic, 1992), 145 and 149, apparently attempts to avoid a categorical assertion on dualism in 1QS and shifts the onus to others: "Because various mutually opposed pairs can be identified, the Discourse is commonly described as dualistic." Despite this indecisive statement, he affirms that "the Two Spirits Discourse is predicated on a dualistic view of cosmic reality." He supports this by asserting that "there are two opposing camps," as if the angels were organized into two opposing camps; in fact, however, the everlasting hatred between the two groups and the incompatibility in 1QS i:10 and iv:17–18 relate to humans, and specifically to Israelites, not to the heavenly spirits, and thus this is not a cosmic controversy. Davidson's discussion demonstrates the general reluctance to give up the ingrained doctrine of dualism in Qumran.

[66] All these principles were created by God, who nominated angels as their "patrons" (see *Jub*. 2:2–3). See text of citation on p. 264, n. 144.

of equal opposites applies equally to Qumran writings on this issue.[67] In addition, Scripture abounds with polarities in the subjects relevant to our investigation, such as good and bad,[68] light and darkness,[69] day and night,[70] and life and death.[71] Nobody imputes dualism to the Bible, since God has divided between light and darkness,[72] day and night,[73] pure and impure,[74] sacred and profane,[75] and Israel from other peoples.[76] Qumran cites some of these divine actions, verbatim or paraphrased, in their literature.[77] It is important to note that the rabbis instituted in the liturgy a blessing to God for making the various separations and cosmic divisions; Scripture is the foundation of their philosophy for this conception as for others.[78]

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[67] Daniel J. Harrington, "Two Early Jewish Approaches to Wisdom: Sirach and Qumran Sapiential Work A," in *The Wisdom Texts from Qumran and the Development of Sapiential Thought* (ed. C. Hempel et al.; Leuven: Peeters, 2002), 263–275 at 271, cites these verses of Sir and concludes, "Both texts attribute absolute sovereignty to God the creator. But they account for the duality in human history and experience by appealing to the order of creation. This is a modified dualism (as at Qumran)." Harrington does not abandon the common term "dualism," but in essence removes from it every trace of the concept of dualism.

[68] Gen 24:50; Deut 1:39; Isa 5:20; Jer 42:6; Amos 5:15; Mic 3:2; Prov 13:21; Ps 38:21; Qoh12:14; 2 Chr 18:17.

[69] Gen 1:4, 1:18; Isa 5:20, 9:1, 45:7, 58:10, 59:9; Ezek 32:8; Amos 5:18; Mic 7:8; Ps 112:4, 139:12; Job 12:22, 24:16; Qoh 2:13.

[70] Gen 1:5, 8:22; Exod 18:21; Lev 8:35; Num 14:14; Deut 28:66; Josh 1:8; Judg 6:27; 1 Sam 25:16; 1 Kgs 8:59; Isa 4:5, 34:10; Jer 8:23, 31:34, 33:20; Amos 5:8; Mic 3:6; Zech 14:7; Ps 19:3, 32:4, 74:16; Job 5:14; Lam 2:18; Qoh 2:23; Neh 1:6; 2 Chr 6:20.

[71] Deut 30:15, 30:19; 2 Sam 15:21; Jer 8:3, 21:8; Jonah 4:8; Ps 5:14; Prov 12:28, 13:14, 18:21.

[72] Gen 1:4, 1:18.

[73] Gen 1:14, 1:18.

[74] Lev 10:10, 11:47.

[75] Lev 10:10; Ezek 42:20.

[76] Lev 20:24; Deut 29:20; Ezra 9:11, 10:11; Neh 9:2.

[77] CD VI:14–15 and 16–18, XII:19–20; 1QS II:16–17, V:1–2 and 18, IX:14; 1Q24 3ii:5–6; 1QHa VI:10–12, XV:11–12; 4 Q216 VI:6–10; 4 Q256 VII:6; 4 Q284 V:1–3; 4Q380 VII ii:3; 4Q 392 I:5–6; 4Q418 81 + 81:1–2 and 126 ii:8–9; 4Q512 40–41:3–4; 11Q XXVI:11–12; 11Q11 II:10–12; 11Q19 LI:8–10.

[78] We read in *b. Pes.* 104a, "Said Rabbi Joshua ben Levi: at [the celebration of the blessing of] the separation [at the end of the Sabbath day] one must recite the separations, as cited in the Torah. It is asked: What is the sequence of the various separations? [A.] [at the blessings to God] one says: Who separated between the sacred and the profane, between light and darkness, between Israel and the Gentiles, between the seventh [rest] day and the six working days, between the pure and impure, between the sea and dry land, between the upper and lower waters [at the creation of heaven], between priests, Levites and Israelites, and concludes with [a blessing to God] for creating the order of the world."

Moreover, even if we concede a theory of moral or anthropological duality in the *Treatise on the Two Spirits*, it has nothing in common with Persian cosmic dualism, which was the primary stimulus to those scholars who attempted to reveal an innovative, unconventional idea in Qumran's theology[79] that conflicts with scriptural and rabbinic ideology. As I have argued above, Qumran dualities have common ground with Jewish doctrines expressed in Scripture, and there is no need to search for a Zoroastrian influence on Qumran; further, the use of similar terms is not evidence of identical ideology. Dualistic entities such as body and soul, spirit and matter, can be perceived as dualistic primary principles, but these are not relevant to our study; both contrasting principles are created by one god,[80] and they are not of a cosmic nature.[81] They are not elements of Qumran theology[82] and were not imputed to them by scholars; they agree with Jewish doctrines, and do not reflect Zoroastrian influence.

6.4. Dualism in 1QM

P.R. Davies reduces the significance of the dualistic worldview, declaring that it is clearly reflected only in 1QS and 1QM and is not characteristic of the entire Qumran literary corpus.[83] He further downgrades the dualism in 1QM by announcing that "the collection [1QM] is largely devoid of

[79] Wernberg-Møller, *Manual*, 66, lists the scholars who noticed a "strong foreign [Zoroastrian] influence" in the Two Spirits doctrine. In his subsequent study, "A Reconsideration of the Two Spirits," in which he rejects his previous allegation of dualism in the Two Spirits Discourse, he debates at length the dualistic theories of Kuhn, Flusser, Licht, Dupont-Sommer, and others. These scholars interpreted the Two Spirits Discourse as a war between cosmic beings, drawing on external parallels with Zoroastrianism and, strangely, disregarding any scriptural foundation. See also Levison, "Two Spirits," 172–173.

[80] Maimonides, in *The Guide of the Perplexed* (ed. Shlomo Pines; Chicago: University of Chicago Press, 1963) 430 (ch. III:8), calls the two principles "matter" and "form," and explains that "man's disobedience and sins derive from his matter and not from his form, whereas his virtues derive from his form." His view on the two primary principles is totally opposed to both Manicheism and Gnosticism; it demonstrates the orthodox perspective regarding two opposing elements, which has no relationship to a heretical type of dualism. Maimonides did not conceive that his theory could be suspected of dualism, and the same applies to the author of the Two Spirits Discourse.

[81] I will not elaborate on the similarity or identity of metaphysical and cosmic concepts, as this is not relevant to our investigation.

[82] See Driver, *Judean Scrolls*, 551.

[83] Philip R. Davies, "Dualism in the Qumran War Texts," in *Dualism in Qumran* (ed. Géza G. Xeravits; London: Continuum, 2010), 8–19 at 8.

dualistic language and concepts,[84] though col. xiii contains some very strongly dualistic material."[85] He also states that 1QM "is clearly a mixture of dualistic and nationalistic language"[86] and that 1QS "is not a dualistic document, but only a document containing a dualistic section."[87] I will attempt here to contradict Davies' assertion about 1QM, and specifically col. Xiii, and his trimmed-down theory of dualism in 1QM, and refer the reader to the previous analysis of the notion of dualism in the *Two Spirits Discourse*, the alleged source of dualism in 1QS.

Col. xiii of 1QM is indeed a mixture of battles with alien nations and battles with the wicked Israelites, fought exclusively by the Qumran Community, the remnants of the righteous Israelites. The text of 1QM is brimming with expressions that clearly identify the Sons of Light fighting the Sons of Darkness, the wicked Israelites, as their main enemies. The "nationalistic" battles are secondary to those against the wicked Israelites; wickedness will disappear after the war, and therefore the wicked Israelites, the Sons of Darkness, must perish (1QM II:9). In contrast, the bad Gentiles, who are not the bearers of evil in the world, will not perish (except the Kittim, punished for their particular oppression of Israel); they will only suffer losses and will be subdued (1QM XIX:6–8),[88] and their existence does not affect the eradication of evil in the world to come. In fact, according to the world view of the rabbis—we may assume that Qumran's attitude was similar, based on their literature—the fate of the world hinges on Israel, the center of God's Creation and concern.

I will cite a number of passages to substantiate the above statement. *M. Abot* 5:1 declares that the righteous Israelites sustain the world;[89] *b. Suk*. 55b states that offerings at the Temple atone for the sins of the entire

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[84] Similarly, Charlotte Hempel, "The *Treatise on the Two Spirits* and the Literary History of the *Rule of the Community*," in *Dualism in Qumran* (ed. Géza G. Xeravits; London: Continuum, 2010), 102–120 at 102–103, writes that "this particular dualistic frame of reference is confined to a limited portion of the corpus." Frey, "Different Patterns," 277–278, writes, "Only a limited portion of the [Qumran] material is characterized by explicit dualistic terminology and thought."

[85] Davies, "Dualism in the Qumran War Texts," 14.

[86] Ibid.

[87] Ibid., 10.

[88] See p. 276 and relevant nn. 197–198.

[89] We read there, "The world was created with ten utterances; what does it come to teach us, since it could have been created by one utterance? [its creation by ten utterances comes to teach us] the [tenfold] punishment of the wicked, who destroy the world, created with ten utterances, and the [tenfold] reward of the righteous, who sustain the world, created with ten utterances."

world,[90] and *Cant. Rab. parsha* 1 announces the same in a different literary style;[91] *Massehet Gerim* 1 asserts that God has created the world for Israel, his cherished children.[92] *Y. Taan*. 1:641, Hal. 1, asserts that the coming of Messiah depends on the Israelites' behavior;[93] *Massehet Semahot* 1 asserts that God first created the Rock on which the Holy of Holies stood, and then created from it the world.[94] According to all these pronouncements, the destiny of the world hinges on Israel and its land, its central elements.

We do not find such explicit statements in the Qumran literature, but we can deduce similar thoughts from Qumran writings. Their abundant accusations against the Sons of Darkness for all kinds of misdeeds and transgressions of the divine laws, and their punishment by absolute destruction, are evidence of the identification of their main opponents in the final eschatological war, portrayed in 1QM. I will quote a few examples to substantiate this thesis. We read in CD I:11–21,

> He taught to later generations what God did to the generation deserving wrath, a company of traitors. They are the ones who depart from the proper way. That is the time of which it was written, "*Like a rebellious cow, so rebelled Israel*" (Hos 4:16). When the Man of Mockery appeared, who sprayed on Israel lying waters, "*he led them to wander in the trackless wasteland*" (Ps 107:40; Job 12:24). He brought down the lofty heights of old, turned aside from paths of righteousness, and shifted the boundary

[90] We read there, "Alas to the Gentiles who lost [by the Temple's destruction] and are not aware what they lost; when the Temple existed, the [sacrifices] of the altar atoned for them, but now who atones for them?"

[91] We read there, "The seventy oxen offered in the week of the Festival of Booths are for the seventy nations [perceived as the entire Gentile world] to avoid the world's destruction."

[92] We read there, "Blessed be he [God] who created the world, exclusively for Israel, and only Israelites are called sons of God, and only Israelites are dear to God."

[93] We read there, "If all the Israelites would repent for one day, Ben David (sobriquet of the Messiah) would immediately come." This is a parallel to the Christian belief that the Second Coming of Jesus will be realized when the entire world believes in him. In Christianity, however, this outcome depends on a universal acknowledgement of the truth, whereas in Israel, it depends on the Israelites' behavior, the spiritual essence of the world's humanity. Likewise the land of Israel and Jerusalem, its holiest site, are the geographic center of the world.

[94] We read there, "So has God started to create the world from the rock of the *Shattia* and from the Holy of Holies, and from it the world was founded" (the term שתת "to lay the foundation of" is a play of words here). In fact, in the Second Temple, this rock in the Holy of Holies served as the substitute for the Holy Ark, the divine dwelling and the site of his epiphany. The High Priest put the incense censer on that rock during his once-yearly entrance on the Day of Atonement. The Muslim holy site known as the Dome of the Rock is so called because it is built upon this rock. Maps from the Middle Ages show Jerusalem as the center of the world.

> marks that the forefathers had set up to mark their inheritance, so that the curses of His covenant took hold on them. Because of this they were handed over "*to the sword that avenges the breach of His covenant*" (Lev 26:25). For they had sought flattery, choosing travesties of true religion; they looked for ways to break the law; they favoured the fine neck. They called the guilty innocent, and the innocent guilty. They overstepped covenant, violated law; and "*they conspired together to kill the innocent*" (Ps 94:21), for all those who lived pure lives they loathed from the bottom of their heart. So they persecuted them violently, and were happy to see the people quarrel. Because of all this God became very angry.

Similarly, we read in CD V:6–8, "They also defile the sanctuary, for they do not separate clean from unclean according to the Law, and lie with a woman during her menstrual period. Furthermore they marry each man the daughter of his brothers and the daughter of his sister." We read in CD V:20–VI:3,

> In the time of destruction of the land the Boundary-Shifters appeared and led Israel astray and the land was devastated, for they had spoken rebellion against the commandments of God through Moses and also by the ⟨anointed⟩ of the spirit; and they prophesied falsehood to turn Israel from following God. But God remembered the covenant of the forefathers; *vacat* and He raised up from Aaron insightful men and from Israel wise men and He taught them and they dug the well.

In 1Q33 (1QMilḥamah) xiii:1–2, among those who bless God we encounter זקני הסרך "the elders of the group,"[95] cursing Be[li]al there and all the spirits of his forces, referring unequivocally to the wicked leader of the evil spirits attempting to corrupt the righteous members of their group, as is evident from vv. 4–5, in which Belial is cursed for his disruptive purpose and his spirits for all their filthy service. His dominion in v. 9 substantiates his identity as the leader of the wicked Israelites.[96] The comparison of light and darkness, as symbols for righteousness

[95] The translators of this document in Tov, *Dead Sea Scrolls Electronic Library*, translate this phrase as "elders of the army," which I believe is wrong for both linguistic and factual reasons. The term סרך has many meanings, even in 1M, as translated by the same scholars, such as the "rule" of God (1QM III:3) and the list of their names (IV:6), We have no evidence that the elders of the army performed hallowed tasks, like the elders in Scripture, or enjoyed a venerable rank in Qumran, which would have made them an apt choice for the ceremony of blessings. See, for example, their function in CD IX:4, their honor in 1QS VI:8, their rank in 4Q502 19:2 and 23:5, and their religious status in 11Q 19 (11QT) XLII:13–14, which records that the booths at the relevant holiday were made for them.

[96] Davies, "Dualism in the Qumran War Texts," 10, writes, "The 'dominion of Belial' in I 23–24 (as in i18 and ii 19) refers, like D. to the present period of wickedness and not to one of two cosmic or even ethical spheres."

and wickedness, similarly confirms the reference to the wicked Israelites (v. 8). In v. 9, the eagerness of the Sons of Light to recount God's works of truth, his judgements, and his wondrous strength represents their pleading for divine goodwill towards them and for divine assistance, as we observe in vv. 13–14. We read further, in 1Q33 (1QMilḥamah) I: 5–11,

> [ ] a time of salvation for the People of God, and a time of dominion for all the men of His forces, and eternal annihilation for all the forces of Belial. There shall be g[reat] panic [ ] the sons of Japheth, Asshur shall fall with no one to come to his aid, and the supremacy of the Kittim shall cease, that wickedness be overcome without a remnant. There shall be no survivors of [the Son]s of Darkness. *vacat* the appointed seasons of darkness. Then at the time appointed by God, His great excellence shall shine for all the times of [ ] for peace and blessing, glory and joy, and long life for all Sons of Light. On the day when the Kittim fall there shall be a battle and horrible carnage before the God of Israel, for it is a day appointed by Him from ancient times as a battle of annihilation for the Sons of Darkness. On that day the congregation of the gods and the congregation of men shall engage one another, resulting in great carnage. The Sons of Light and the forces of Darkness shall fight together to show the strength of God with the roar of a great multitude and the shout of gods and men; a day of disaster.

The belief in the destruction of iniquity and the annihilation of all the Sons of Darkness shown in the above verses confirms the reference to the Israelite sinners, since, as I have substantiated, the Gentiles will not be destroyed. The succeeding columns, like most of 1QM, indicate that in the epos, the main enemies and opponents of the righteous are the wicked Israelites, whose final defeat and demise will initiate the eschatological era of the World to Come. Y. Yadin recognized the fact that the destruction of the wicked Israelites, the Sons of Darkness, is the quintessence of the 1QM scroll, which he therefore calls, in the title of his book, *The Scroll of the War of the Sons of Light against the Sons of Darkness*, ignoring the war against the Gentile nations, mentioned in the writing.[97] The war between righteous and wicked Israelites does not indicate a cosmic dualism, and nor does the comparison of the righteous and the wicked with light and darkness, as I argue in this chapter. Davies writes that 1QM is "far from expressing a dualistic theology."[98]

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[97] *The Scroll of the War of the Sons of Light against the Sons of Darkness* (ed. Yigael Yadin, trans. Batya Rabin and Chaim Rabin; Oxford: Oxford University Press, 1962).

[98] Davies, "Dualism in the Qumran War Texts," 9.

In addition to qualifying Qumran's dualism with respect to its typology in those writings in which it is alleged to be present, Davies further downplays its significance. He writes, for example, that the wisdom discourses in the CD, "while asserting the predestination of the elect [tightly associated with dualism], make no reference to a dualistic view of things."[99] In his conclusion, he reiterates that the "Qumran sect" did not embrace a dualistic theology. Davies expresses himself extremely cautiously at this point: "we may consider that among them were those who entertained a dualistic interpretation and formulated a world-view in which 'Israel' and 'nations' were replaced by 'light' and 'darkness,' and whose familiarity with Zoroastrianism prompted a limited exercise in literary revision."[100] I refer readers to my interpretation of the concepts of light and darkness in Scripture and in Qumran writings, which utterly refutes both Davies' assertion that these concepts represent the nations and Israel and the idea that the subtle influence of Zoroastrianism on some of Qumran's terminology indicates any such influence on their ideology. The same applies to the identification of the Sons of Light and of Darkness, associated with Light and Darkness; these designations refer to the Qumran Community and to the wicked Israelites, respectively. At the core of the alleged dualistic theory in Qumran literature, in 1QS and 1QM, we encounter verses in which we must understand the "Sons of Light" as indicating their group alone, and their direct opponents as associated with darkness. 1QS iii:24 declares that the single resolve of the spirits of darkness is to cause the Sons of Light to stumble, and these Sons of Light are the members of the Qumran Community. The "Sons of Righteousness," in 1QM i:8, associated with light, refers unequivocally to the Qumran group, and their enemies, the "Sons of Darkness," must therefore be the Israelite sinners. Moreover, 1QM iii:5–6 demonstrate that the enemies are the wicked Israelites, who are branded in Qumran literature as hating God and justice, as we read: "scatter the enemy and to put all those who hate justice to flight and a withdrawal of mercy from all who hate God."[101] It is these enemies that the group fights, and there are no accusations of similar character against the Gentiles.

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[99] Ibid., 10.

[100] Ibid., 19.

[101] Hempel, "*Treatise on the Two Spirits*," 116, writes, "According to 1QS v:2 the people of injustice emerges as the nemesis of the community."

I also question Davies' contention that the alleged fighting powers of goodness and evil, created by God, are cosmic; they are extra-terrestrial, but not cosmic in their nature,[102] and neither is all humanity divided into two camps, since the battle takes place between Israelite factions. I address this point at length later in this chapter. Davies' hesitation to adhere to the dualistic theory in Qumran literature comes to light when he proposes that we perceive it as a *chronological dualism*,[103] attempting by means of this device to reconcile the apparent dualistic theory with the overwhelming majority of non-dualistic texts, including those in 1QS and 1QM. We observe how difficult it is to discard an ingrained theory founded exclusively on modern scholarly interpretation—in our case that of dualism in Qumran, which, as we know, is not engraved in stone, and which, according to Davies' assertions, constantly loses its significance.

I take issue with Davies' claim that all the tribes of Israel participated in the war, a claim founded on his and other scholarly interpretations of the crucial introductory vv. 1QM i:1–2.

The translation runs as follows: "The first attack of the Sons of Light will be launched against the lot of the Sons of Darkness, against the army of Belial, against the bands of Edom and of Moab and of the Sons of Ammon and [...] Philistia, and against the bands of the Kittim of Ashur, who are being helped by the violators of the covenant. The sons of Levi, the sons of Judah, and the sons of Benjamin, those exiled to the wilderness, shall fight against them."[104] From this Davies deduces that if all the Israelites fought in the war, their enemies must be the Gentiles. I do not see any compelling reason to interpret these verses in that way, thus creating a situation contrary to the general thoughts of the Qumranites, as revealed by their ample literature. Their group—the righteous, the sons of Levi, Judah, and Benjamin—fight against their opponents, the wicked Israelites, the Sons of Darkness, the violators of the covenant, the army of Belial and their leadership, who assist the Gentile bands. The violators of the covenant must be their Israelite

[102] Popović, "Light and Darkness," 149, writes, "Dualism as an idea of two opposing principles that constitute all existence does not appear in such a radical form in the *Treatise on the Two Spirits*. The two spirits and their ways are presented as subordinate to God who is the one determining everything."

[103] Ibid., 10.

[104] This is the translation of García Martínez and Tigchelaar in *Dead Sea Scrolls Study Edition*.

opponents (the enumerated Gentiles having no covenant with God), the wicked Israelites, the Sons of Darkness and their leadership;[105] and thus the Sons of Light, the sons of Levi, Judah, and Benjamin, are the Qumran group. The long list of misdeeds by the wicked, the enmity between them and the righteous, their destruction, and the subsequent cleansing process described in 1QS iii:9–23 are evidence to the same effect. Moreover, 1QM iii:5–6 demonstrates that the enemies are the wicked Israelites, who are branded in Qumran literature as hating God and justice, as we read: "scatter the enemy and to put all those who hate justice to flight and a withdrawal of mercy from all who hate God."[106] It is these enemies that the group fights, whereas there are no accusations of similar character against the Gentiles.

In fact, the author of 1QM perceived the wicked Israelites as God's vicious enemies as well as the community's own, and their deliverance from Belial's dominion (1QS I:18) as the climax of the war. At the same time, they associated with it their deliverance from the Gentiles, according the relevant prophecies; this is the reason for the apparent mix-up between the two. However, unlike Davies, who ascribes more significance to the nationalistic war and a minor part to the dualistic war (that is, the battle between good and evil), I consider the war against the Israelite sinners, linked to the eschatological expectation of the demise of all evil, to be the core of the text and its most significant outcome; Israel's deliverance from the Gentiles is secondary in magnitude to the utter transformation of the world, as prophesied by Isa in 2:2–4 and in ch. 11. My reading of this passage is thus the most plausible; only the preconception that 1QM refers to a "nationalistic" war against the Gentiles could have given rise to the theory espoused by Davies, which raises the problem of two conflicting theologies in Qumran within the same scroll and has led to various attempts to explain it via an array of literary expedients.

[105] We read in 1QH-a X:31–33, "You have delivered me from the jealousy of the mediators of lies and from the congregation of those who seek flattery. Yo[u] have redeemed the soul of the poor one, whom they planned to put to an end, pouring out his blood because he served You."

[106] Hempel, "*Treatise on the Two Spirits*," 116, writes, "According to 1QS v:2 the people of injustice emerges as the nemesis of the community."

6.5. A Rebuttal of Dualism in Qumran Writings

6.5.1. *Was "The Source of Evil" the Foundation of a Comprehensive Qumran Theology?*

I now wish to examine in detail certain of the concepts alleged to be essential elements of a Qumran dualism. Let us first analyze the concept of evil. Qumran was not concerned about the fact that God created evil,[107] a prominent constituent of scholarly theories of dualism in Qumran.[108] To begin with, I have serious doubts as to whether they had the same notion of evil that we have;[109] I would speculate that their perception of evil was the transgression of divine rules[110] rather than, for example, David's brutal killing of the Ammonites, as recorded in 2 Sam 12:31.[111]

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[107] I dispute the theory suggested by some scholars, following Paolo Sacchi, *L'Apocalittica Giudaica e la sua Storia* (Brescia: Paideia, 1990), that the narrative of the fallen angels, the Watchers, in *Jub*. chap. 5 and *1 En*. chap. 7 was composed in order to resolve the dilemma of the source of evil, to exclude it as something created by God. From this narrative Sacchi construed that evil was attributable to a supernatural source, antagonistic to God, and on that basis the theory of cosmic dualism is founded. Aside from the double speculations of this theory, I think that this narrative cannot serve as evidence for the creation of a serious theological viewpoint. These narratives, it seems to me, were compiled by preachers, as were many rabbinic *Midrashim*, to create interest in their sermons on short or obscure biblical narratives, such as Gen 6:1–4 and others, rather than to resolve thorny theological issues. Steudel, *Der Midrasch*, calls 4Q174 and 177 "Eschatological Midrashim." They are fundamentally comparable to 1QM; their distinction lies solely in the specific subjects within the ambit of the eschaton. See VanderKam's opinion on the popularity of such stories in "The Enoch Literature" (lecture at the School of Divinity, University of St Andrews, 1997, http://www.st-andrews.ac.uk/divinity/rt/otp/guestlectures/vanderkam/): "The story provided powerful sermonic material by picturing an egregious example of evil and how God responded to it." The assertion in *Jub*. 7:22 "and they made the beginning of uncleanness" does not refer to evil; it is only one of the three wrongdoings previously enumerated 7:21 as the three main transgressions for which the Flood came upon the earth. Moreover, I do not assume that the highly intellectual authors of Qumran literature would have based their theology on esoteric homilies; the rabbis did not do so with respect to their *Midrashim*. See also Collins, *Seers*, 33, who disputes the influence of the Watchers' narrative on Qumran writings. For an extensive study on this issue see chapter 3.

[108] See, for example, Alfred Robert Clare Leaney, *The Rule of Qumran and Its Meaning* (London: SCM Press, 1966), 44 and n. 150.

[109] See also ch. 3, pp. 105–113, on the imposition of modern thoughts on ancient authors with respect to the source of evil in *1 Enoch*.

[110] If this is true, as we may deduce from both scriptural and Qumran writings, then the narrative of the Watchers would not offer a solution to the dilemma of God as the source of evil. Adam was the first transgressor of a divine command, and his wickedness must therefore have originated from God, his creator.

[111] I have chosen this narrative because its translation history supports my supposition. This verse was translated literally by the traditional commentators, the LXX, and the KJV,

Moreover, as noted above, dualism would not resolve the question of evil, as some scholars suggest, since both good and evil spirits are created by God, meaning that he is ultimately the source of evil.[112] We may compare Qumran's attitude to that of the rabbis, who did not attempt to defend or justify the prophetic statement of Isa 45:7; they accepted it as is, without questioning its theological rectitude.[113]

I conjecture that Qumran was concerned with another dilemma of a Jewish character, similar to the one that induced the rabbis to propose the Two Impulses theory, יצר טוב and יצר רע, essentially identical in all aspects to Qumran's *Treatise on the Two Spirits*.[114] Both groups were trou-

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whose translation I will cite: "He set them under saws, sharp iron instruments, and iron axes, and made them pass through the brick kiln." The modern translator of the NIV, for example, in his sensitivity to such brutal conduct by the revered King David, disregarded the syntax and grammar of the original text and interpreted it as "consigning them to labor with saws and with iron picks and axes, and he made them work at brick making." Ethical attitudes had changed dramatically in the relatively short period of less than 300 years between the KJV and NIV.

[112] On this point see Charlesworth, "Critical," 80.

[113] This verse, with a slight change, was introduced without hesitation by the rabbis as a blessing in the obligatory daily liturgy. It is true that the second part was changed to עשה שלום ובורא את הכל "[God] makes peace and creates everything"; but the reason for the change, which in effect also includes evil, is explained in *b. Ber*. 11b as the desire to avoid using a dire expression and instead stating the opposite. This is a common procedure in rabbinic writing; for example, when they wish to say that God will punish the Israelites harshly, they refer instead to the enemies of Israel (*b. Sanh*. 63a). Similarly, a blind person is regularly called סגי נהור "[one who has] much light." The English language calls the Friday of the Crucifixion "Good Friday," though it is really a day of lament and fasting, as it is called in German. There are many speculations about the origin of this apparently peculiar name, but it may also be the result of a process similar to the rabbinic method of reversing an evil description referring to a revered entity.

[114] Wernberg-Møller, "Reconsideration," 423, states: "The difference between 1QS and the rabbinic doctrine is thus of terminology only." May, "Cosmological," 3, disputes this statement not on its own merits but because of the "apocalyptic framework of the Qumran doctrine." The issue of whether the Qumran community was apocalyptic is not an *opinio communis* and is debated by scholars; see, e.g., Philip R. Davies, "Qumran and Apocalyptic or Obscurum per Obscurum," *JNES* 49 (1990): 127–134, and Carol A. Newsom, "Apocalyptic and the Discourse of the Qumran Community," *JNES* 49 (1990): 135–144. The fact that certain apocalyptic writings have been found in their library does not mean that Qumran was an apocalyptic community, nor lead to the conclusion that their theological writings are apocalyptic. Nor do their writings become apocalyptic simply because they believed that their leader, the Priest, was placed by God to interpret the words of the prophets (1QpHab ii 8–9). This is a long way from the character of Enoch's apocalyptic style. The fact that human spirits follow the leadership of particular angels does not serve as evidence for a cosmic dualistic theology, as I will demonstrate; the angels are not independent powers. Nor is May's comparison with John 1 convincing. His argument assumes that Qumran was influenced by John; yet light and

bled by the question of why humans sin. God has given humans wisdom to discern good from evil,[115] a faculty expressly emphasized at the beginning of the *Treatise on the Two Spirits* and in 4Q525 (4QBeatitudes) 2–3ii+3:3–4.[116] In 1QS iii 15, **אל הדעות** "God of Knowledge" is the initiator of the state of affairs, as subsequently portrayed, including the concluding verse iv 26: **וינחילן לבני איש לדעת טוב ורע** "a legacy to the sons of man so that they know good and evil." Therefore it is deemed incomprehensible that a person sins, that is, engages in acts that he knows *a priori* are wrong, and for which he will be punished.[117]

We encounter a similarly pragmatic utterance by the author of *4 Ezra*, who indicates that he is searching for an explanation for a contemporary dilemma, not for a solution to an apparent theological embarrassment.[118] The *Treatise's* function, explaining the rationale of human's sinning, justifies its incorporation in the *Rule of the Community* from both literary and contextual perspectives. It is not an extraneous text, as scholars have suggested, because of its alleged incompatible dualistic theory; instead, it harmonizes with its antecedent and subsequent texts.[119] After the exhortation to repentance and correct behavior, in the first verses of col. iii, follow the portrayal of the divine greatness, omniscience, and omnipotence and the explanation of the appropriate world-view. (Unfortunately we do

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darkness are definitely metaphors, not cosmic concepts, in John 1:4–5. Scripture uses light and darkness as metaphors for good and evil, as I will demonstrate, and both Qumran and John use the terms in their writings in the same way.

[115] Collins, "Interpretation," 35, perceives "the idea that God endowed humanity with knowledge and wisdom" from other Qumranic sources. He ignores, however, the utterance of 1QS IV:25–26 to the same effect, as we perceive from the preceding and succeeding sentences that relate to the divine attitude toward the evildoers and their bad end. They are punished because God has endowed them with the wisdom to know what is good, that is, to discern between their good and evil dispositions, as appears in 4Q300 (4QMyst-b) 3:2: "in order that they would know (the difference) between g[ood and evil, and between falsehood and truth, and that they might understand the history of transgression]." These dispositions were allotted to them in equal measure, as we read in 1QS IV:16–17: "God has appointed these spirits as equals until the last age," and they chose evil. I hypothesize that such an interpretation of these verses may be perceived as conflicting with the ingrained opinion of predeterminism in Qumran.

[116] We read there: "Blessed is the man who attains wisdom. *vacat* and walks in the law of the Most High: establishes his heart in its ways."

[117] See p. 292 on the faith of the people at that period that fostered such a consideration.

[118] We read in *4 Ezra* (*2 Esdras*) 4:23: "For I did not wish to inquire about the ways above, but about those things which we daily experience."

[119] Hempel, "*Treatise on the Two Spirits*," 118–119, detects other characteristics of the *Treatise* that create a continuity between the bulk of its contents and the *Rule*.

not possess the connecting text between verses 12 and 13, the supposed beginning of the *Treatise*, which could have given us a better clue to their linkage). The subsequent text explains the divinely implanted impulses in man (i.e., the Israelites)[120] to do good and evil, the characteristics of both, and finally a guideline of the process to join the group of the righteous and the portrayal of its statutes.

The rabbis also addressed this question, and their answer can be found in *b. Sot.* 3a: "A person does not sin unless a spirit of foolishness entered him." I perceive an identical attitude, expressed in a different literary style, in 1QH XIII:25–26: "and because of their guilt you have concealed the source of understanding and the foundation of truth, they plot evil in their heart." Only the loss of wisdom induces humans to sin. Both Qumran and the rabbis provided, in essence, the same answer, though using different terms, and it is logical that Qumran preferred a Jewish way of thinking to foreign influence.[121] It was only in the Middle Ages that Maimonides, the renowned philosopher, attempted to explain in his *Guide of the Perplexed* a great range of baffling theological questions raised in the Jewish intellectual community, which had been inspired by the surrounding Muslim philosophical milieu, the Kalam.[122] Some of his statements clarify confusing biblical expressions, such as, for example, the anthropomorphic terms used in the Bible,[123] but others are apologetic, as, for example, regarding the source of evil[124] or animal sacrifices.[125]

We should not wonder that Qumran scholars—who were fundamentalist believers, as is evident from their ideological and halakhic writings—did not ask basic ideological questions, just as contemporary believers do not do so today. They were not concerned by the fact that God created evil,[126] nor with other problematic topics such as, for exam-

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[120] This assertion is based on my opinion about their understanding themselves as the only real remnant of Israel, and the people of Israel as the sustaining pillar of the world. We encounter such an explicit pronouncement in *Exod. Rab. parsha* 38: "[It is written]: 'The eternal God is your refuge' (Deut 33:27) these are the Israelites, for whose merit the world was created and subsists."

[121] Charlesworth, "Critical," 79, states that "the treatise [1QS] is essentially Jewish."

[122] A movement within Islamic thought whose practitioners, the *Mutakallim*, investigated the being and attributes of God.

[123] Maimonides, *Guide*, I:1–70.

[124] Ibid., III:10–12, 438–448.

[125] Ibid., III:32, 525–534.

[126] Levison, "Two Spirits," 185, asserts that Qumran ideology was not shaped by systematic abstract reflection on the origin of evil.

ple, the contradiction between God's omniscience and man's free will; I will take the same position on this dilemma in my study on predestination.[127]

Qumran investigated biblical contradictions in an attempt to solve practical halakhic questions but did not discuss ideological inconsistencies in the Bible.[128] When dilemmas emerged—as for example the righteous falling in battle in 1QM xvi:11,[129] contrary to expectations—these are perceived as intended by God according to his mysteries;[130] there was no attempt to search for complex theological solutions for such events, which according to their belief and expectations should not occur. The apparent diversity among different Qumran texts is not the consequence of later redactions or interpolations, as Duhaime and others suggest;[131] rather, it was the result of *ad hoc* attempts to resolve current dilemmas, overlooking possible inconsistencies because of the lack of a comprehensive theology. Similar circumstances are also evident in rabbinic literature.

The creation of a comprehensive and coherent theology (as far as it is possible to attain such a goal) is a slow and ongoing process in all religions. It is the result of attempts by theologians to resolve logical inconsistencies as they come up in the minds of believers. We may observe the slow advance of this process in the narrative of the census performed by David. In 2 Sam 24:1 we read, ויסת את דוד "and he [God] incited David" to carry out a census, an illicit procedure that had dire

[127] See chapter 7.

[128] There are no explicit deliberations on halakhic inconsistencies in Qumran writings, such as we observe in rabbinic literature; but we are able to deduce from some of their decisions, which apparently do not accord with the relevant biblical commands, that discrepancies or inadequate details in the text motivated their decisions.

[129] We read there, "When Belial girds himself to assist the Sons of Darkness, and the slain of the infantry start to fall in accordance with God's mysteries." See succeeding note.

[130] "Mysteries" is the common translation of the term רז, influenced, in my opinion, by extraneous predispositions. I prefer the plain and comprehensible term "secret"—that is, something we do not know, but which we could comprehend if it were revealed to us. The term רז appears often in Qumran literature associated with the term דעת (1QS iv:6), שכל (1QS iv:18), and demonstrates comprehensibility. I will quote one of many passages in which רז cannot be translated as "mystery": in 4Q300 3:3 we read רזי פשע, translated by as "mysteries of sin" but by Wise et al. as "secrets of sin." In fact, the term רז in Dan 2:18–19 is translated as "secret," as the context requires; the meaning of the dream is comprehensible once it has been revealed.

[131] Jean Duhaime, *The War Texts, 1QM and Related Manuscripts* (London: T&T Clark, 2004), 60.

consequences.[132] The later redactor of 1 Chr. 21:1, aware that attributing to God such an incitement to act sinfully does not fit with the image of an upright and compassionate deity, changed the statement to read, **ויעמד שטן על ישראל** "And Satan rose up against Israel."[133] I do not wish to enter into the question of the time interval between the compilation of Sam and that of Chr, but there is no doubt that a sizeable period had elapsed; we observe the lack of sensitivity to or perplexity regarding the apparent divine behavior by the redactor of Sam, in contrast to the approach of the later Chr redactor. I wish to emphasize, however, that the stimulus for this change cannot be compared to the issue of why God created evil. A direct incitement by God to perform a wicked deed is embarrassing, but this situation is utterly different from the creation of evil, which empowers humans with the free choice as to whether or not to carry it out. The latter was not an issue that would have provoked a dilemma in the minds of believers, requiring an adjustment of the contemporary doctrine. In the rabbinic period, we again encounter attempts to resolve current dilemmas[134] that do not pay much attention to the fact that these solutions sometimes blatantly contradicted other rabbinic dicta.[135] Many

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[132] In fact, there is no explicit prohibition on effecting a census; we encounter only the decree, in Exod 30:12, that one must pay a ransom when performing it, which David failed to do: "When you take a census of the Israelites to count them, each one must pay the Lord a ransom for his life at the time he is counted. Then no plague will come on them when you number them."

[133] On this point see Paul Evans, "Divine Intermediaries in 1 Chronicles 21: An Overlooked Aspect of the Chronicler's Theology," *Bib* 85 (2004): 545–558; Peggy L. Day, *An Adversary in Heaven*: *Satan in the Hebrew Bible* (HSM 43; Atlanta: Scholars Press, 1988), 130ff.

[134] We encounter, for example, a rabbinic pronouncement corroborating the postulate that theological maxims were developed to resolve *ad hoc* dilemmas. We read in *b. Mo'ed Q.* 28a, "Rava said: [Length of] life, [the number of] sons and [the level of] assets do not depend on [a man's] merit, but on fate/luck, [We conclude this from the following] since Rabah and Rav Hisda were both righteous rabbis: the one prayed, and rain occurred, and the other prayed and rain occurred. [But] Rav Hisda lived to the age of ninety-two years and Rabah forty; in the family of Rav Hisda there were sixty feasts and in the family of Rabah sixty bereavements. In the house of Rav Hisda, fine wheat flour was available for the dogs and nobody asked for it; in the house of Rabah there was no barley bread for humans." We observe that Rava, the author of this theological maxim, came to his conclusion through his observation of the facts, which conflicted with the belief that God rewards the righteous and punishes the wicked. In order to resolve the dilemma, he devised a "bypass" theory, but at the same time was not concerned that it conflicted with another Talmudic homily that declares the complete opposite—that economic prosperity or poverty depend on man's deeds—as we shall see in the ensuing note.

[135] We read in *t. Arak.* 20a, "Rabbi Yose b. Hanina said: Come and see how grave consequences occur because of a minor transgression of the rules of the seventh year

problems were raised in later periods, and attempts were made to solve them, often without great success; this nevertheless did not undermine the strength of the faith. There is every reason to assume that identical circumstances prevailed in the Qumran community, and that there was a similar lack of concern about such issues as the source of evil. There is definitely no justification to impose upon Qumran a comprehensive and wide-ranging theology that would conflict with explicit scriptural statements, simply because of our interpretation of a lemma of their writings that seems to us—based on our contemporary thinking—to be influenced by an alien theology.[136] They certainly did not perceive themselves as adherents of a dualistic theology, and this is the crucial point to consider in the analysis of their writings when we try to identify their mindset and their ideologies.

6.5.2. *The Scholarly Proposal of Developmental Stages in Qumran Dualism*

Reading Duhaime's contestation of Osten-Sacken's theory regarding the developmental stages of dualism in 1QM and 1QS and the emergence of various types of dualism, one gets the impression of a scenario that seems, to say the least, inconceivable.[137] I will briefly summarize the dispute. Once a dualistic theory had been identified by scholars as the basis of Qumran theology, it became necessary to identify its different

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fruits. If a man sells the fruits he collected [which were granted by God to be consumed or donated (Lev 25:6, 7, 13), his financial standing deteriorates and] he starts to sell his movable assets." The dictum then continues by stating that if he does not become aware that he is being punished for his wrongful deed and continues, he is compelled to sell his house, his field, his daughter, and, in the end, himself as a slave. This homily, deduced from a *midrashic* interpretation of relevant biblical verses, explicitly contradicts the maxim quoted in the preceding note. It also contradicts a *midrash* in *Sifre Deut pisqa* 118, which attempts to resolve the apparent contradiction between Deut 15:4 (in which it is said that there will be no poor people in Israel) and 15:7–8 (which commands one to help a poor Israelite). The first is interpreted to refer to a situation in which the people fulfill all precepts, and the second to a situation in which they fail to do this. Here, good deeds are rewarded financially and evil ones punished by poverty.

[136] Collins, "A Messiah," 21–22, in discussing the scholarly attempt to identify the Teacher of Righteousness with the Suffering Servant of Isaiah, draws attention to the fact that "these passages were not distinguished as a special group of poems," and that "we should be wary, then, of assuming that the modern construct of the servant was also recognized in antiquity." He adds that "an ancient author might combine passages in ways different from the conventions of modern scholarship." His admonition is equally valid in our case.

[137] Duhaime, "Dualistic Reworking," discussing von der Osten-Sacken, *Gott und Belial*.

types. This classification indicated a concentration of an eschatological dualism in 1QM and of other distinct types in 1QS. There naturally arose a scholarly question about the developmental stages that would account for this diversity, and the related question of chronology. Osten-Sacken perceived that the eschatological dualism of 1QM was the basic principle, from which emanated a second stage, the Two Spirits type. Thus the eschatological dualism was transformed into an ethical dualism, in two steps: (a) the conflict between truth and perversity, and (b) the anthropological dualism in each person. The Melchizedek text, on the other hand, indicates a revival of the earlier eschatological dualism. This, in Osten-Sacken's view, was the essence of the expansion and refinement of the first, primitive principle of dualism.[138] Duhaime does not dispute the developmental process but assumes that ethical dualism was the primary idea, with different stages of expansion. Verses that do not fit the theory are deemed to be later interpolations.[139]

It is not plausible to assume the existence of stages in the development of a Qumran dualism. Such a contingency would imply the existence of a panel or council of Qumran theologians who decided, at a certain moment in their history, to adopt the overarching principle of dualism in Qumran theology, whatever its first incarnation. In subsequent meetings of this panel, further derivatives of the theory would have been decided upon and published as new texts or as insertions in existing writings. I do not assume that such a circumstance is plausible.[140] Qumran thought and writings were directed by the fundamental principle of the supremacy of the Torah in all its aspects and by their belief that they correctly

[138] Von der Osten-Sacken, *Gott und Belial*, 28–41, 12–27, 116–189.

[139] Duhaime, "Dualistic Reworking," 41. Frey, "Different Patterns," 287, disputes this assertion of a later redactional stage.

[140] Frey, "Different Patterns," 288, objects to the theory of a "unilinear development of dualistic thought," postulated by von der Osten-Sacken and Duhaime, but proposes a conflation of different patterns of dualistic terminology and thought expressed in different texts, which underwent further development in the community. He perceives in the *Treatise on the Two Spirits* "a multi-dimensional, ethically oriented cosmic dualism," the result of an amalgamation of other sapiential texts and presumably influenced by "the sheer cosmic dualism" of the War Scroll. This general proposal represents a more plausible scenario than that proposed by the other two scholars. Elsewhere, however, Frey seems to agree with their developmental theory. He states that the Two Spirits idea seems to be a novelty in Jewish religious thought, one that "might be explained as a stage of further development of the ethically oriented sapiential dualism" (300). His subsequent argument of "a general impact of Persian thought on Judaism," the "original sin" of the dualism theory, explains his incoherence; it even induces him to assume an "opposition of God and Belial in 1QS i 16–26," a statement to which I find no clue in the text and for which

comprehended the divine intentions communicated in it; they did not care about the philosophical principles behind their ideology. Qumran authors did not create a theological principle of dualism; they were not aware that their ideas could indicate a dualistic world-view,[141] and hence there was no fundamental doctrine for further development. Modern scholars try to deduce the philosophical views of ancient authors through the analysis of ancient texts, but their conclusions are based on modern ways of thought that do not fit the circumstances of the Qumran period.

Qumran scholars created their different doctrinal writings to fulfill distinct purposes and functions. One may have been conceived and written prior to another, but this does not mean that the later one was a development of the earlier; the different writings that seem to us to express divergent ideologies should rather be perceived as independent texts created in different circumstances and for different purposes. The Two Spirits theory was not produced by a dualistic worldview, nor was it a development of an eschatological dualism; its conception was stimulated by the need to resolve the emerging dilemma of why a rational person sins, as I have argued above.

6.5.3. *The Essence of Angels and the Concepts of "Light" and "Darkness" in Scripture and Qumran Writings*

6.5.3.1. *The Essence of Angels and Their Power*

The antagonisms in the *Treatise on the Two Spirits*—between Light and Darkness, between the Sons of Light and the Sons of Darkness, and between the good and bad angels, particularly between the Prince of

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I know of no scholarly support. It does not answer the questions I have posed, and will further pose, about the rationale for the "cosmic dualism" attributed to spirits and angels and about the purpose of attaching the label "dualism" to Qumran writings that merely portray contrasting concepts.

[141] We observe in 4Q397 (4QMMT) 14–21 7–8 that they "have segregated themselves from the multitude of the people" because of halakhic dissent, but at the same time, it seems, they pleaded with the leader of their opponents to repent and re-create the unity of the people. The enmity and ideological schism that developed in later stages (see Heger, *Cult*, 313–318) created an instinctive hostility and a consciousness of being themselves the righteous while their opponents were the wicked. This attitude does not indicate a novel dualistic theory: Scripture abounds with passages contraposing the righteous and the wicked, and nobody, as far as I know, imputes dualism to the Old Testament. We may note, for instance, Abraham's indication of the division between the righteous and the wicked that will occur before imminent destruction (Gen 18:23), and a similar dictum in Mal 3:18: "And you will again see the distinction between the righteous and the wicked" when the day of reckoning arrives.

Lights and the Angel of Darkness (1QS III: 20)—have been perceived by scholars as depicting a constant struggle between independent cosmic entities, fighting for domination in the terrestrial and extra-terrestrial universe. This perception led these scholars to allege a Persian dualist doctrine as the source of a real dualism in Qumran doctrine. In disputing this thesis, I will discuss each concept and its character in Scripture and Qumran literature.

The Jews may have adapted an expanded angelology from the Persians,[142] but they maintained their belief that angels, created by God,[143] are God's messengers, obeying His commands, and not independent entities.[144] The functions conferred upon them by God are their entire *raison d'être*, irrespective of whether God nominated some to attempt to corrupt the Jews and hurt them,[145] to assist them against their enemies, and/or for occasional assignments.[146] The essence of the angel in Jewish mythology is utterly different from the Persian idea of lower divinities, the Bounteous Immortals[147] (sometimes thought of as angels).[148] The latter are not angels; they are divinities that are worshipped, and though they were created by the supreme god, they have totally different func-

[142] The first mention in Scripture of a "patron" angel of Israel with a name, the angel Michael, occurs in Dan 10:13, along with an unnamed Prince of Persia as their "patron" angel; Persian influence is plausible here.

[143] We read in *Jub.* 2:2–3: "For on the first day He created the heavens which are above and the earth and the waters and all the spirits which serve before him—the angels of the presence, and the angels of sanctification, and the angels [of the spirit of fire and the angels] of the spirit of the winds, and the angels of the spirit of the clouds, and of darkness, and of snow and of hail and of hoarfrost, and the angels of the voices and of the thunder and of the lightning, and the angels of the spirits of cold and of heat, and of winter and of spring and of autumn and of summer, and of all the spirits of his creatures which are in the heavens and on the earth, (He created) the abysses and the darkness, eventide (and night), and the light, dawn and day, which He hath prepared in the knowledge of his heart" (translation by R.H. Charles). In *Gen. Rab. parsha* 1, two rabbis dispute on which day God created the angels, one saying that it was on the second day and the other, the fifth. Both rabbis deduce their assertions from the interpretation of different biblical verses.

[144] Barr, "The Question," 223, writes that it "does not make impossible the idea that Iranian angelology influenced Hebrew, but it must have been seen quite out of their Iranian context and detached from it."

[145] Evans, "Divine Intermediaries," 548 writes: "Satan in 1 Chr 21,1 need not be viewed as the Devil but merely a divine intermediary doing Yahweh's work."

[146] For example, the angel sent with a message to Hagar (Gen 16:7–11), the messengers sent to save Lot (Gen 19:1–22), and the angel sent to warn Balaam (Num 22:22–35).

[147] Zaehner, *Dawn and Twilight*, 63.

[148] Nigosian, *Zoroastrian Faith*, 80.

tions from those of the Jewish angels.[149] Each of these divinities has a particular name, personifying on the spiritual side specific virtues, such as the Good Mind, Immortality, the Desirable Kingdom, and Wisdom; on the physical side, each presides independently over some material object, such as water, the animal kingdom, fire and so on.[150] This system has a great affinity with the classical polytheism of Greece and the Middle East, and cannot be assumed to have been adapted by Qumran or by the Jewish society of that time. Qumran did adapt the idea of "patron"[151] angels for persons or defined groups,[152] but these, in essence, have no independent

[149] Barr, "The Question," 222, writes, "The names and functions of the Ameša Spentas, and the nature of the entities revealed by them, are very far removed from what counted as angels in most stages of Judaism."

[150] It seems that in Persian mythology these lower divinities, though created by Ahura Mazda, act independently after assignment of their function and are indeed cosmic powers. In Jewish mythology, in Scripture, and in Qumran writings, God has constant control over the actions of angels, and He decides when they should start and cease. See the narrative in *Jub.* 10:7–8, concerning the chief wicked angel Mastema's plea to God to enable him to continue his task of corrupting humans.

[151] It seems that under the influence of Dan 10:13 and 21—and particularly 12:1, which states, "at that time Michael the great prince, the protector of your people"—Qumran concluded that every people, group, and definable entity had an angelic leader/protector in heaven. This conjecture fits into their belief that the two worlds, that of earth and that of heaven, correspond; the earthly entity is a mirror image of the heaven. I have therefore chosen the term "patron," a term used in the Catholic Church in a similar way; every state, city, village, trade, organization, etc., has its patron saint, its protector and advocate who pleads for his or her protégées before God. This hypothesis would explain the host of angels in Qumran literature and their different names. Philip R. Davies, "The Biblical and Qumranic Concept of War," in *The Bible and the Dead Sea Scrolls*, vol. 2 (ed. James H. Charlesworth; Waco, TX: Baylor University Press, 2006), 209–232 at 223, also uses the term "Patron" for the angels of each nation. Segal, *Two Powers*, 21, writes that the Dead Sea sectarians believed that "each of the moral forces, good and evil, had a captain." Paolo Sacchi, *Regola della Communità* (Brescia: Paideia, 2006), 65, calls them *arcangeli* "archangels."

[152] Torlef Elgvin, "Wisdom with and without Apocalyptic," in *Sapiential, Liturgical and Poetical Texts from Qumran* (ed. D.K. Falk et al.; STDJ 35; Leiden: Brill, 2000), 15–38 at 35, has an opposing theory. He writes that the "angelic evil powers are represented by empires and ungodly rulers on earth," whereas I perceive the angels in heaven as the Patrons of evil. According to *1 Enoch*, God governs the world and its natural cycles by the intermediary of spirits/angels; the name "the Lord of spirits" confirms this. Hence, we observe, for example, that spirits preside over clamour and terror (*1 En.* 20:2), they regulate the performance of the Luminaries (v. 4), and the angel Raphael presides over the spirits of men. We read in 59:4 that spirits regulate the winds and the springs and the power of the moon's light. *Jub.* 2:2 states (partly repeated in 4Q216) that God created the first day, together with heaven, the angels of the spirit of the winds, of the spirit of the clouds, of darkness, of snow, of hail, of frost, of the voices of the thunder and of the lightning, etc. Whether Qumran accepted these Gnostic myths as mandatory is dubious, in my opinion, but they certainly believed that God created the angels as messengers/intermediaries,

will or power.[153] They do not have power over their protégées; they cannot ensure that the righteous avoid sin, and the angels of darkness cannot compel them to sin—they must attempt seduction.[154] Even in their "patron" function, they are limited in their *modus operandi* as divine messengers, and must carry out God's commands, which may vary from time to time.[155]

From the etymology of the term מלאך, as well as from biblical and Qumran narratives, we may clearly discern the essence of angels as messengers in Jewish literature.[156] The root of the term מלאך is לאך, a deviation from the root הלך "to go." In Arabic and Semitic Ethiopian, it means "to send." The Greek term ἄγγελος, used by the LXX to translate

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to regulate through them the world, physically and spiritually, according to the divine commands and plans. We read in 4Q286 3:3–6, "meteor]s and lightnings [ ]the angels of rain c[loud]s, [and] of light clouds of water, heavy (clouds) and dewdrops [ ] and all the spirits of dominions of]when they were created." Similarly, in 4Q392 1:9, "[For on] high [he made w]inds and lightnings [his messengers and s]ervants of an inner sanctu[ary.] From his presence go forth the lu[minaries" (trans. Falk). This demonstrates unequivocally their activity as God's servants, acting on his commands; He decides when rain should start and cease. We observe in Scripture and in Qumran writings that though Israel has a preferential status and is governed directly by God, this is not exclusive, and at times an angel performs the task, when assigned to it by God. Some angels have fixed functions, while others are appointed for occasional temporary commissions.

[153] We read in Ps 104:4, "He makes wind his angels/messengers, flames of fire, his servants." A *midrash* in *Gen. Rab.* 50 demonstrates the limited authority of the angels, stating that one angel does not perform two errands.

[154] We read in 1QS iii:24 that their function is to cause the Sons of Light to stumble. This is a more suitable translation, used by Wise, of the Hebrew להכשיל in Hifil, related to the term מכשל in Lev 19:14. The term suggests that they are seduced by means of enticements, not by forcing them to sin against their will. We observe this explicitly in 4Q545 (Visions of Amram) 1:12: "Which of us do you choose to be ruled?" Though the end is missing, it is evident that Amram had free choice and did not choose Melki-resha. Philonenko, *Apocalyptique iranienne*, 167, in his zeal to demonstrate cosmic dualism in Qumran, states, "Les deux anges ont reçu pouvoir sur tous les fils d'homme" ("the two angels have received power over all mankind"). He ignores the fact that Amram was asked which of them he chose, and granted more significance to their unfounded allegation that "We rule over all the sons of Adam" (l. 11).

[155] We do not know the regular function of the Angel of Presence in *Jub.* 1:27, but he is present from the beginning of creation until the establishment of God's sanctuary. Segal, *Two Powers*, 195, writes that in 11Q13 Melchizedek is seen as the duly enthroned agent of God who will inaugurate the Jubilee year and salvation for Zion. Again, God establishes the angel's functions for defined tasks as the occasion requires.

[156] Shaked, "Qumran and Iran," 435–436, perceives the Princes of Light and Darkness as metaphysical entities. He argues that the term רוח "spirit" in 1QS is used in "three senses: a) the two poles of the ethical dualism, in a 'cosmic' manner; b) the two opposing qualities inherent in man, corresponding to the cosmic dualism of a, and c) the numerous qualities in man." We observe that he hesitates to use the term "cosmic" and abstains

מלאך, has the identical meaning of "messenger" or "envoy," and the derivatives of that root have the same semantic range ("message," etc.). In fact, according to Liddell and Scott, the Greek term seems to have its roots in the Persian term for a mounted courier, ready to carry the royal dispatches. The term מלאך for a metaphysical entity is similarly used in Scripture, sometimes in close proximity to references to human messengers, as for example in the Balaam narrative. In Num 22:5, the term מלאכים refers to human messengers sent by Balak ("So he sent messengers to Balaam the son of Be'or to Petor, which is by the river"), and in 22:22 and the succeeding verses it refers to a metaphysical angel מלאך, sent by God ("And God's anger burned because he went: and the angel of the Lord stood in the way as an adversary against him"). In contrast to the names of the Persian divinities, which specify their independent character and their permanently established prerogatives and functions, the Jewish angels, who have defined functions with respect to the Jewish people, have theophoric names such as Michael "who is so [great] as God?"; Gabriel "who is so strong as God?"; and Raphael "God the Healer," demonstrating their dependence on God and their regular function of worshipping him.[157]

The limited competence of the angels and the pointlessness of any attempt to consider them "cosmic powers" is evident from the narrative of the Watchers and its use in CD-A II:17–21. We read there that they were unable to control their own evil inclinations;[158] their deficiencies are identical to those of humans, and their powerlessness is evident. They are corruptible, like humans, and are punished by God for their

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from using the term "dualism" in an unqualified manner. It is obvious that the angels are extra-terrestrial or metaphysical entities, but I dispute the label "cosmic dualism," since they have no independent power and authority; they are ethereal entities but have no independent cosmic power.

[157] See Ps 103:20–22 and Isa 6:3. D.A. Knight, "Cosmogony and Order in the Hebrew Tradition," in *Cosmogony and Ethical Order* (ed. R.W. Lovin and F.E. Reynolds; Chicago: University of Chicago Press, 1985), 133–157 at 141, speculates on the motive for the lack of a record of God's creation of the angels, considering the effectively established picture of YHWH as creating all other heavenly beings. He postulates that such a narrative would "have allowed for an enfranchisement of them being alongside God."

[158] We read there, "For many have gone astray by such thoughts, even strong and doughty men of old faltered through them, and still do. When they went about in their willful heart, the ⟨Guardian Angels⟩ of Heaven fell and were ensnared by it, for they did not observe the commandments of God. Their sons, who were as tall as cedars, and whose bodies were as big as mountains, fell by it. Everything mortal on dry land expired and became as if they had never existed, because they did their own will, and did not keep the commandments of their Maker, until finally His anger was aroused against them."

wicked behavior. The limited power of Mastema (interchangeable with the Angel of Darkness),[159] the leader of the corrupting angels, is evident in 4Q225 frg. 2 i:10, in 2 ii:5–8,[160] and in *Jub*. X:7–9, assumed to function as an authoritative writing in Qumran.[161] The bad angels compete with the good ones, to fulfill their divinely assigned functions; they do not fight one another, as we see in the above passages. In the narrative of the binding of Isaac, the bad angels expect Isaac's death or, alternatively, Abraham's disgrace if he should fail at the last moment to slaughter his beloved son, while the good angels cry for the fear that it may happen; both groups are unable to really intervene. Each group of angels is solely accomplishing their assigned duties and cannot even attempt to influence the divine decisions by supplication; they are utterly incapacitated. What type of "cosmic power," then, do the angels represent?

From the writings of Enoch, we can observe in 4Q202 (4Q En^{b} ar), frg. 1 col. III:7–col. VI:10, the limited authority of the archangels and the nature of their function: they serve as intermediaries between humans and God and between God and the Watchers, and as the executors of the divine commands.[162] In *1 En*. 10:1–3 we observe Sariel's insignificant function as messenger: he is commanded to announce to Noah the forthcoming Flood, and to instruct him on what to do in order to survive it. From biblical narratives we observe the absolute obedience of the angels to the divine, sometimes changing, directives, within their eternal function as messengers.[163] When God reverses the decision to afflict the Israelites after David's census, we read in 1 Sam 24:16, "And when the angel stretched forth his hand toward Jerusalem to destroy it, the Lord repented of the evil and said to the angel who was working destruction among the people: It is enough! Withdraw your hand." Though the command for the angel to activate the plague is not explicitly stated in the narrative, we must assume that the redactor thought it was self-evident and thus did not need an explicit statement. The command to the angel to cease his action, however, was perceived as important for the narrator,

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[159] See p. 279.

[160] The good angels were weeping at Isaac's binding, while the bad angels were enjoying the hope that he would perish.

[161] Mastema, the chief bad angel, pleaded with God to save from destruction a tenth of his assistant angels to fulfill their function of misleading and corrupting people.

[162] See Dimant, "*1 Enoch* 6–11," 233.

[163] Wright, *Origins*, 1, writes, "Jewish Scripture does not contain any references to autonomous or semi-autonomous evil spirits that are able to afflict humanity at will." He then complements this statement by asserting that "in the Hebrew Bible, evil spirits are seen as beings sent by God to accomplish God's plan."

to demonstrate the divine mercy. We do not possess within Qumran literature such an explicit narrative, but we can deduce such obedience from the portrayal of the course of the eschatological war. For instance, we read in 1QM vii:6, xii:4 and 8, that the angels are together with the group's army. In xi:17, the Qumranites declare their confidence that God will fight for them from heaven. In xiii:14 they proclaim that no angel or prince is an aid like God; when they suffer heavy casualties and are in danger of retreating (xvi:11), "in accordance with God's mysteries," the High Priest instills courage in them, assuring them that God, to whom they prayed and whom they have praised, will send them his everlasting aid, the angel Michael, to assist them (xvii:6). The High Priest stresses in xvii:7 that it is God who exalts Michael above all angels (gods). In xviii:1 we read that "the mighty hand of God will be raised against Belial," and the Qumranites will win the battle. We observe from 1QS iii:24 that the angel of God's truth, a probable sobriquet for the Prince of Light or another prominent angel, is not capable by himself of helping the Sons of Light to withstand the evil instigations of the bad spirits; he needs divine cooperation in order to succeed.

6.5.3.2. *Humans Fight; the Angels Do Not*

Further, the Israelite patron angel of the righteous, the שר אורים, and its opposite, the patron angel of evildoers, the מלאך חושך, are not two antagonistic powers who fight one another;[164] this is not their

[164] I dispute Elgvin's assertion, in "Wisdom," 34, that there is "an eschatological confrontation between the spirits of good and evil." God destroys the spirit of evil/injustice, as is written in 1QS iv:18–19: "God, in the mysteries of his knowledge and the wisdom of his glory, has determined an end to the existence of injustice" at a time determined by him; it is not the spirit of good that will put an end to the spirit of evil, as in Zoroastrian doctrine. Frey, "Different Patterns," 288, attempts to support his thesis of cosmic dualism in Qumran writings with the text of the Visions of Amram (4Q544 and 548), maintaining that it demonstrates the "opposition of two angelic powers." I do not perceive any power at all in the two entities; they compete for dominion over man by means of allure, not power. There is no direct confrontation between the angels of Light and Darkness in this vision; they both converse with humankind. I believe that the occult texts, almost exclusively in Aramaic, cannot serve as evidence for serious Qumran theological thought; in any event, this case demonstrates the opposite of Frey's conclusion, the powerlessness of the angels of Light and Darkness. Eugene H. Merrill, *Qumran and Predestination* (Leiden: Brill, 1975), 52, writes: "Between the two 'lots' of men there is a constant conflict, a microcosmic struggle reflective of the universal cosmic war between the spirits of light and darkness." This is a linguistic contortion to defend the "cosmic" theory for an ongoing intellectual struggle within man. Armin Lange, *Weisheit und Prädestination: weisheitliche Urordnung und Prädestination in den Textfunden von Qumran* (STDJ 18; Leiden: Brill, 1995), 169, in his quest for the foundation of cosmic dualism in 1QS, goes even further,

function.[165] We read in 1QS iii:24–25, "all the spirits of his [the angels of Darkness] cause the Sons of Light to fall. However, the God of Israel and the angel of his truth [the Prince of Lights] assist all the Sons of Light." The same can be observed of the description of the real war in 1Q33 (1QMilḥamah) XVII:6: "He will send eternal support to the company of His [re]deemed by the power of the majestic angel of the authority of Michael by eternal light." The fighting terms are metaphoric, as are the identical terms used in the portrayal of divine battles. Although we read in 1QM III:10 that "on that day the congregation of the gods and the congregation of men shall engage one another, resulting in great carnage," a portrayal that may indicate a battle fought jointly by humans and angels, this is immediately followed in v. 11 by a more precise description: "The Sons of Light and the forces of Darkness shall fight together to show the strength of God." There is no mention of concrete participation by the angels in the battle; their participation consists merely in a symbolic spiritual alliance.[166]

Thus, the angels do not fight one another, as one would expect of a dualistic pair;[167] however, the righteous and the evildoers, imbued

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asserting that the world is dominated (*regiert*) by two Spirits, the Spirit of Darkness and the Spirit of Light, who confront one another in battle. I have not encountered any hint in Qumran literature that would rationalize such a radical statement, or any scholarly assertion that the world is dominated by the Two Spirits.

[165] See pp. 270–271 and n. 168.

[166] We observe that although God said to Moses in Exod 23:23, "My angel will go ahead of you and bring you into the land of the Amorites, Hittites, Perizzites, Canaanites, Hivites and Jebusites, and I will wipe them out," in practice the Israelites fought to conquer the land, and God's assistance and the leadership of the angel/s was only indirect and invisible.

[167] Collins, "Interpretation," 40, writes that the concept of the warring spirits of light and darkness has no precedent in Jewish tradition. On the basis of this assumption, founded on the text of 1QS III:15–21, he declares that this lemma has its closest parallel in Persian Dualism. I do not perceive in the text a "concept of warring spirits." We read there, "The authority of the Prince of Light extends to the governance of all righteous people; therefore, they walk in the paths of light. Correspondingly, the authority of the Angel of Darkness embraces the governance of all wicked people, so they walk in the paths of darkness. The authority of the Angel of Darkness further extends to the corruption of all the righteous" (vv. 20–22). There is no struggle between the two spirits (inclinations) implanted by God in humans; it is humankind that struggles with which inclination to follow. There is likewise no hint that the Prince of Light fights the Angel of Darkness. Collins' supposition thus has no foundation in the text: we cannot deduce such an assumption from the general spirit of Qumran writings. Their authors would never have admitted to perceiving these spirits as independent powers fighting God, similar to the Persians' real cosmic Dualism. Such an interpretation would definitely be contrary to the horizon of expectation of the Torah-centered Qumran audience and readers. It seems

with the respective spirits, or the Israelites and their enemies, fight the battles.[168] The leaders of the bad spirits are also not annihilated at the loss of their protégées; they have fulfilled their divine orders. We encounter a similar narrative in CD-A V:17–19;[169] Belial, the chief of the corrupting angels, does not fight the Prince of Light or his protégées Moses and Aaron; rather, he induced humans under his domination, Yannes and his brother, to harm the human Israelites—not the Prince of Light, the protector of the Israelites' leaders. Their "patron" supervisors assist in a supernatural way[170] the groups they have been assigned by God to lead (1QM xvi:11),[171] in accordance with the divine orders they receive from time to time. The leading angels and their assistant angels of enmity,[172]

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odd that Collins does not meditate on the distinction between the thoughts of modern scholars and those of ancient authors on this issue, a reality he discusses on the same page with respect to another issue.

[168] We observe in CD v. 18–19 that Belial, the enemy of Israel, "raised up Yannes and his brother" against Moses and Aaron, aroused by the Prince of Light. There is strife not between the angels but between men.

[169] We read there, "For in times past Moses and Aaron stood in the power of the Prince of Lights and Belial raised up Yannes and his brother in his cunning ⟨when seeking to do evil⟩ to Israel the first time."

[170] Davies, "Concept of War," 212 and 214–215, writes, "The conduct of war is the business of the dynastic kings, and the all-Israelite militia." On the other hand, he writes that Yahweh's enemies are also cosmic forces, basing his statement on the text of Ps 74:14. (See my interpretation of this verse, which disputes such a deduction, on p. 238, n. 39.) In the texts of Exod 15:8–12 and Judg, cited by Davies, the sea, the winds, and the stars are God's messengers, accomplishing His commands; they are not His enemies, as Davies writes. I also question his statement at 224 that the Maccabean victory was a human victory, "not a heavenly intervention, as chapter 12 [of Daniel] envisages." 1 Macc 3, describing the first battle of the few Israelite fighters against an overwhelming Hellenistic army, stresses Judah's address to his warriors, instilling courage by the assurance of unlimited divine power to assist them (3:18–22). The Maccabees stressed divine assistance in their battles in their letter to the Spartans, thus explaining their motive for not approaching the latter for help. God's involvement in the battles of Israel did not have a single and permanent character; it was actualized in different ways, and the Israelites did not inquire as to how it would occur on each occasion.

[171] We read there, "When Belial girds himself to assist the Sons of Darkness."

[172] García Martínez usually translates the term גורל literally with the common term "lot," but Wise interprets it contextually as "the spirits allied with him," as most of its occurrences in 1QS must be understood. For example, the expression וכאשר יצא הגורל cannot be literally translated as "depending on the outcome of the lot," since the decision of the group to accept or reject a member depends on the outcome of his interrogation, not on a gamble or lottery. We must interpret the term here as "decision." The same applies to the term in 1QS ix:7. In 1QS i:9–10, we find כגורלו "in order to love all the Sons of Light each one according to his lot"; here the term should be interpreted as one's "standing" in the Community of God, and in iv:24 as "his share/proportion" in evil. The term גורל must therefore be interpreted distinctively according to its context. Cf. Lange, *Weisheit und*

the רוחי גורלו "spirits [or angels, in this occurrence, of the leading angel of enmity in 1QS iii:23–24]" will not be destroyed at the end of the days, as we read in 1QM xvii:15,[173] after accomplishing the divine commands (iii:24).[174] The dictum, in 1QS i:10–11, "and to detest all the Sons of Darkness, each one in accordance with his guilt in God's vindication," refers only to the evil people, the Sons of Darkness, because they go in the paths of darkness, as we read in iv:11: "blindness of eyes, hardness of hearing, stiffness of neck, hardness of heart in order to walk in all the paths of darkness." They, together with the evil impulses inherent in humans, will be destroyed, as we read further on: "until their destruction, without there being a remnant or a survivor for them" (v. 14); and "and on the appointed time of the visitation he will obliterate it forever" (1QS iv:18–19).[175] The profound difference in essence between the lesser Persian divinities, the good and the evil, and the angels in Israelite mythology is evident, and the latter cannot be perceived as reflecting a cosmic dualistic ideology.[176]

Prädestination, 39–41, who writes on the metaphorical use of the term "lot" in Qumran and other contemporary literature. As to Lange's interpretation of "fate" as having a predeterministic character, I will debate his assertion in a separate study.

[173] We read there, "and the troops of Belial [not Belial himself] will be defeated in front of them." We observe the same idea in 1QM i:5: "and everlasting destruction of all the lot [the followers] of Belial," and in vv. 6–7, "there will be no escape for the Sons of Darkness." The distinction between the fate of the people and that of Belial is quite clear.

[174] The expression בני חושך, appropriate for human sinners and enemies, appears abundantly, and demonstrates who will be destroyed. This statement is not based solely on logical deduction; the reference to humans is also evident from the text of iv:11–14. In iv:13 we read of the calamities that characteristically befall humans, those who walk in the paths of darkness (11–12), executed by the hands of the angels of destruction (12) until their total destruction (14). It is clear that evildoers will be destroyed at the end of days by the assistant angels of the Angel of Darkness, who will be their executioners and will persist. In a separate study of 1QM, I will demonstrate that the text does not conflict with this assumption.

[175] As I have argued above, one must discern between the spirits of the various features in heaven and the impulses in humans; although they bear the identical name in this treatise, they are entirely different entities.

[176] It seems that the term "cosmic" has some aura, as one would expect, and some scholars use it without being aware that it contradicts their own theories. Elgvin, "Wisdom," 34–35, writes, "The Two Spirits Treatise demonstrates eschatology and dualism with apocalyptic traits"; in other words, this is not cosmic dualism. He then states that in the War Scroll, which portrays the eschatological war, "the sons of darkness are identified as the army of Belial. But also Belial is subordinate to God." But then he states that 1Q/4Q Mysteries refer "to cosmic evil powers." I have not found in these texts any terms that differ from those in 1QS and 1QM with respect to light and darkness, and I perceive them as contradicting his above-cited assertions. At 36, Elgvin writes that Qumran learned from its predecessors of the "cosmic struggles between light and darkness and the spiritual

6.5.3.3. *Inconsistencies and Linguistic Expedients in Defence of "Dualism"*
In the quest to preserve the concept of dualism in Qumran literature, Davidson exposes its inconsistencies.[177] He first states: "We can speak of cosmic dualism, in which two spirit-beings, or groups of beings[,] are in conflict, each seeking to rule the cosmos."[178] He then states, "*The Two Spirits Discourse* is predicated on a dualistic view of cosmic reality. There are two opposing camps, the one led by the Angel of Darkness and the other by the Prince of Lights."[179] He does not identify the constitution of the camps, that is, whether both refer to the righteous and the wicked Israelites, as seems evident to me, or to all of humankind. In the first case, a struggle restricted to Israel does not constitute a cosmic struggle. On another occasion, Davidson perceives the confrontation between the Princes of Light and Darkness as a "cosmic dualism involving angels";[180] these are metaphysical entities, and hence cosmic powers. I would accept his theory if "cosmic" were qualified as describing supernatural entities. However, his assertion that they represent "a dualistic view of cosmic reality"[181] in the Two Spirits Discourse does not seem to concur with his subsequent statements. He writes that according to the texts of 1QS III:13–IV:26, "God is the creator of all spirits";[182] "the angels operate to fulfill God's will,"[183] and "are rather to be understood as God's obedient servants who execute his judgment."[184] The inconsistencies between the two assertions are evident. The label "cosmic dualism" is absolutely inappropriate for the general theology of the 1QS author, as I understand it from 1QS IV:18–19 and other lemmas. In fact, Davidson retracts his unqualified attribution of cosmic dualism to 1QS, referring in his conclusion to the blurred notion of "Ethical Dualism in the Cosmic Context."[185]

Walter Huppenbauer states that Qumran dualism is a relative dualism, an ethical-cosmic dualism, because for the Jews of Qumran monotheism

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forces that oppose the Sons of Light. The present as well as the future were interpreted in light of this apocalyptic dualism." We observe a continual mix-up between an apocalyptic dualism and cosmic powers, based on the contrast between light and darkness.

177 Davidson, *Angels*, 145 ff.
178 Ibid., 145.
179 Ibid., 149.
180 Ibid., 161.
181 Ibid., 149.
182 Ibid., 159.
183 Ibid., 157.
184 Ibid., 158.
185 Ibid., 150.

is primordial; God alone is the source of everything. It is ethical because there is no eternal anti-God, and it is cosmic because man is placed between the two worlds of light and darkness.[186] A. Wright attempts likewise to impose a blurred dualism on Qumran writings, declaring, "The third category [of dualisms], 'psychological dualism,' depicts the struggle of an individual with two internal inclinations that are being influenced by the opposing forces within the 'cosmic' dualism to follow or not follow God."[187] He uses terminology similar to Davidson's to retain the "cosmic" label, speaking, for example, of "an ethical dualism operating within a cosmic dualism."[188] However, elsewhere he writes that "the two angelic spirits operate under the sovereignty of God within the human realm,"[189] and further on he perceives a "conflation of cosmic and ethical dualism" and apprehends "the larger battle between the cosmic forces of the Angel of Light and the Angel of Darkness."[190] Wright's portrayal of the angels operating under the sovereignty of God and their classification by him as "cosmic" powers seem to me patently contradictory. In another instance, he attempts to reveal dualisms in 11Q5 XIX:15–16. In the prayer to God, "Let Satan have no dominion over me, nor an unclean spirit; let neither pain nor the will to evil rule in me," he detects a "cosmic Dualism."[191] I wonder where one might perceive dualism here; this supplication concurs with Jewish tradition, as explicitly stated in Ps 119:29–30.[192] The author, aware that God has implanted in him both righteous and evil inclinations, prays to God to grant him the necessary intellect to withstand the temptation of his evil inclination under the aegis of Satan, the angel assigned to corrupt humans. He does not pray to be under the dominion of the Prince of Light instead of that of Satan/Belial,[193] as one would expect from a dualistic

[186] Hans Walter Huppenbauer, *Der Mensch zwischen zwei Welten, der Dualismus der Texte von Qumran (Höhle 1) und der Damaskus-fragmente. Ein Beitrag zur Vorgeschichte des Evangeliums* (AThAT 34; Zürich: Zwingli, 1959), 113.

[187] Wright, *Origins*, 167.

[188] Ibid., 171.

[189] Ibid., 169.

[190] Ibid., 173.

[191] Ibid., 172–173.

[192] We read there, "Keep me from deceitful ways; be gracious to me through your law. I have chosen the way of truth; I have set my heart on your laws." And in v. 36, "Turn my heart toward your statutes and not toward selfish gain." The "deceitful ways" and the "selfish gain" in Ps are the equivalents of "Satan" and "unclean spirit" in 11Q5 XIX:15–16.

[193] It is plausible to assume that in the Scrolls, Satan is identical with the other names of the corrupting angels' leaders. On this point see Wright, *Origins*, 176.

viewpoint. He directly asks God, the ultimate dominator of both the good and the evil chief spirits, for assistance in his struggle to prevail against the seductions of the evil spirit, as we see in the preceding 11Q5 (11QPs[a]) XIX:13–16: "Forgive, O Lord, my sins, cleanse me from my iniquities! Favour me with a constant and knowing spirit and let me not be shamed by ruin. Let Satan have no dominion over me, nor an unclean spirit; let neither pain nor the will to evil rule in me." The content and style of his prayer accord with Qumran theory, as appears, for example, in 1QS III:24–25, the antithesis of "cosmic" dualism.[194] This demonstrates, again, the futility of the attempt to reveal "dualism" in Qumran writings.

6.5.3.4. *For Whom Was the Two Spirits Treatise Written?*

The *Treatise on the Two Spirits* and the task of the respective angels, the "patrons," relate, as far as I understand, exclusively to the Jews, and are not of universal application.[195] The Qumran group represents the Sons of Light, and the wicked Jews, their direct and vicious opponents, are the Sons of Darkness. The task of the evil spirits of the Angel of Darkness is to cause the Sons of Light to sin, and this can only refer to Israelites and Qumranites. Gentiles are not obliged to obey the divine commands of the Torah, given exclusively to Israel, and hence they do not sin by not performing them or transgressing them. The God of Israel and the Angel of Truth do not help the Gentiles (1QS iii:24–25)

[194] We read there, "All the spirits allied with him [Mastema, the chief of the corrupting angels] share but a single resolve to cause the Sons of Light to stumble. Yet the God of Israel (and the Angel of His Truth) assist all the Sons of Light. It is actually he who created the spirits of light and darkness, making them the cornerstone of every deed." In order not to err and assume a dualistic view that the Angels of His Truth are an independent power fighting Mastema, the author emphasizes that God created them and is the only one able to assist the author in his struggle against his evil inclination, dominated by Mastema. This is an explicit denial of a "cosmic" Dualism.

[195] Steudel, *Der Midrasch*, 167–168, states that the expression בני בליעל in 4Q174 and 4Q177, which are close to the Two Spirits Discourse in 1QS from the perspectives of ideology and language, refers to Jews. Wernberg-Møller, *Manual*, 27 and 88, on the other hand, maintains that the text of 1QS iv:24–25 refers to "man generally," not only to members of the community. So many indications in the text convey the opposite that we must interpret the generic terms גבר and בני איש as referring to the Jews only. Qumran's perception of the world was that the Jewish people, their precepts, and their service at the Temple were the center and the pillars of the world. This is not the place to elaborate on this point, but I would only refer to God's promise to Abraham: "all peoples on earth will be blessed through you" (Gen 12:3), and to the rabbinic assertions in *b. Yoma* 54b and *Semahot* 1:1, in which it is stated that the foundation stone of the world was in the Jerusalem Temple. I assume that it was on the basis of this legend that maps of the world were drawn in the Middle Ages showing Jerusalem at the center of the world.

to withstand the seduction of the Angel of Darkness and its entourage; the Gentiles are not the ones to be punished by God for transgressing the law, as Qumran expects and believes will soon occur. The Gentiles are punished for their criminal actions against Israel,[196] but they will not be annihilated, as we read in 1QM xix:6,[197] which Qumran does expect to happen to the wicked Jews.[198] Thus, from this crucial perspective, there is again no cosmic element in the *Treatise on the Two Spirits*,[199] nor a dualistic worldview of a "cosmic" permanent struggle between two defined struggling groups. The ideological conflict between the righteous Jews, the Qumran group, and the wicked Jews is the extent of the fight between the metaphorical Sons of Light and the Sons of Darkness, according to Qumran's perspective.[200] The battles between Jews and Gentiles and between Gentiles themselves are not included in this ambit; they are of another nature.

6.5.3.5. *Concluding Evidence against the Theory of Cosmic Dualism as Deduced from the Angelic Battles*

The question of whether angels, being supernatural, are cosmic entities is a semantic issue, but does not affect our thesis. Even if these entities are perceived as cosmic, the Israelite angelology does not represent a

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[196] Prophetic literature abounds with such utterances. I will mention a few that are explicit: Jer 50:29, 51:24; Amos 1:3; Zeph 2:10. See also Davies, "Concept of War," 212, on divine wars.

[197] We read there, "Their kings shall serve you and all your oppressors shall bow down before you." The apparent contradiction between this statement and 1QM i:6, "with no remnant remaining," referring to the Kittim, demonstrates the lack of concern for inconsistencies within Qumran literature. It may also allude to an especially extreme punishment for the Kittim, presumed by some scholars to be a sobriquet for the Romans.

[198] We read in 1QS iv:13–14, "until their destruction, without there being a remnant or a survivor for them." Leaney, *Rule of Qumran*, 154, draws to our attention that the source of this phrase is Ezra 9:14, and there it relates unquestionably to Jews. This also demonstrates the utter dependence of Qumran on Scripture, both pragmatically and ideologically.

[199] Segal, *Two Powers*, 20, writes, "In the Manual of Discipline of the Dead Sea Scrolls, ethical dualism is boldly outlined," and confirms this again on 21: "Although the Dead Sea Sectarians seem to be dualists, they also believed in one transcendent God above all the angels."

[200] We may compare the theory of Qumran to the similar circumstances we encounter nowadays in the internal struggles among different Jewish and Christian denominations. Each faction believes itself to be correctly apprehending and accomplishing God's will and intent, and prays God to demonstrate the validity of its theory. We observe the same in times of war, when the clerics of each nation pray to God to assist them in attaining victory over their opponents. Do we perceive them as Dualists, or as participating in a "cosmic" battle?

dualistic concept; it does not include two independent powers fighting for cosmic/world domination. The angels are unable to shape or change the established world order by their own initiative; everything they do is commanded and controlled by one God. Even Osten-Sacken, who perceives an Iranian influence on the Two Spirits theory and detects there a dualistic Iranian influence of two primordial, autarchic, and anthropological powers that dominate humanity, significantly qualifies his conception.[201] He declares that one cannot consider these factors as showing a direct dependence on Persian myth, because the dualism in 1QS is of a different structural character. In 1QS, in contrast to Iranian myth, the spirits are unequivocally subordinate to God, and hence limited in their status.[202] J.J. Collins is aware that "there is no precedent of warring spirits of light and darkness in Jewish tradition," but he nevertheless affirms that the Persian dualist myth shaped the idea of conflicting spirits in the Two Spirits Discourse.[203] I dispute this assertion, since 1QS affirms the struggle between the spirits of good and evil inborn in humans, whereas the angelic leaders of these spiritual attributes are not warring among themselves. Further, Collins does not discern between the concept of evil that God has created and the notion of sin perpetrated by humans who choose, by their own will, to transgress the divine laws, thus placing themselves under the dominion of the evil spirit.

In conclusion, I believe to have substantiated the thesis that in Jewish mythology,[204] no angel—and certainly no spirit implanted within humans—seeks to rule the world; the angels are not in conflict among themselves, but dominate the spirits of righteousness and evil implanted in humans; only those specific groups who are assigned to their domination are in conflict. The Princes of the angels and their assemblies of all classes are all created by God,[205] and it is he who decides when to

[201] *Gott und Belial*, 19, 26, 132.
[202] Ibid., 139.
[203] Collins, "Interpretation," 40.
[204] Davidson, *Angels*, 162, acknowledges the importance of Jewish thought in our attempts to interpret Qumran texts (see, e.g., a citation of Sjöberg, 161), but nevertheless writes that "reality as conceived by the author of the Two Spirits Discourse does involve conflict in the heavenly realm, a cosmic dualism." As I have demonstrated, and as in my opinion some of Davidson's own assertions confirm, I cannot see how this declaration agrees with Jewish normative thought and principles.
[205] Philip S. Alexander, "Demonology of the Dead Sea Scrolls," in *The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment*, vol. 2 (ed. P.W. Flint and J.C. VanderKam; Leiden: Brill, 1998–1999), 331–354 at 343, writes that the lemma in 1QS iii:25–26

end their function;[206] they are not independent, warring primary powers representing a dualistic worldview. Each angel accomplishes only the task decreed by God. The domination of the spirit is also not exclusive, as one would expect from a dualistic view of "two opposing camps." Qumran admits that the spirit of darkness sometimes succeeds in corrupting the righteous and causing them to sin;[207] thus, at times, the righteous are under the dominion of the Angel of Darkness. We must also assume, by the same token, that the wicked perform some good deeds and at that time come under the dominion of the Prince of Light. The 1QS author was not concerned with such a contingency; his assignment was to portray the Sons of Darkness as utterly wicked.

6.5.3.6. *Lack of Interest in Revealing the Angelic Enigma*

Although Jewish biblical mythology contains a concept of angels as divine messengers, their specific character or way of life remained enigmatic, in contrast to pagan myths that recounted concrete, at times bizarre, actions and occurrences in the lives of the primary and secondary gods and their descendants. Jewish mythology did not discuss the intrinsic character of angels and how they interact with humans; this remained a mystery, like the essence of the Deity. It is evident that as heavenly entities they are invisible, but we do not encounter any question about or explanation of how or when they became visible to those to whom their task brought them. Qumran literature envisages communion and communication between their group and angels, but gives no details whatsoever as to how a meeting with invisible, super-terrestrial beings would occur; they accepted the narratives in Scripture with no skepticism or

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affirming the creation of the Two Spirits by God "was necessary if the sect was to remain within the bounds of theism, and to avoid falling into an absolute dualism."

[206] We read in 1QS iv:18–19, "God, in the mysteries of his knowledge and in the wisdom of his glory, has determined an end to the existence of injustice and at the appointed time of the visitation will obliterate it forever."

[207] I do not perceive from the content of 1QS III:21–25 that "Essene dualism is a profoundly pessimistic view of the world," as Sacchi asserts in *History*, 335. The Two Spirits Discourse portrays a balanced view of humankind's inclinations, under the dominion of angelic leaders with equal powers who attempt to persuade humans to submit to their authority. However, since God is not entirely impartial, loving what the righteous do and hating what the wicked do, he helps the righteous to overcome the seduction of the evil inclination dominated by the evil angels (1QS III:24–25). I perceive these verses as portraying an optimistic worldview, since the righteous enjoy divine assistance, changing the equilibrium between good and evil in favour of the good.

investigation.[208] As I have noted above, fundamentalist believers do not ask questions; they accept what they have received by tradition or are told by their spiritual leaders. This is a known fact and does not need substantiation.

Nor did Qumran authors use specific designation for the angels[209] (or for רוחות האמת והעול, the psychological impulses in humans (1QS III:18–19)) or specify the identity of the various types of angels in their literature.[210] Further, the same angels seem to have had many names. The מלאך חושך "Angel of Darkness" was also called בליעל "Belial" and משטמה "Mastema." Similarly, we encounter the designation שר אורים "Prince of Lights"

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[208] James H. Charlesworth, *The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations* (PTSDSSP 2; Tübingen: Mohr Siebeck, 1995) 88, perceives in Qumran literature a "consciousness of a mystical communion between human and heavenly beings." Mysticism dispenses with any questions. Levison, "Two Spirits," 185, asserts that Qumran ideology was not shaped by systematic abstract reflection on the nature of angels.

[209] In addition to the unambiguous מלאך for angels in Qumran literature, the terms אלים and רוחות are also used, according to Yadin, *Scroll of the War*, 210–211. But the term רוח is ambiguous, and there are certainly many instances in which one cannot perceive this term as denoting angels—for example, when it refers to the two spirits implanted in humans. The text of 1QS iii:18 declares explicitly, "and placed within him two spirits so that he would walk with them until the moment of his visitation [the end of days, or each person's death]." This cannot refer to angels implanted in humans; Davidson, *Angels*, 154, agrees. Burrows, *More Light*, 291, writes that these "spirits" correspond "to common biblical usage, by which 'spirit' often indicates a person's disposition, character, or self." Reliance on biblical texts is the most effective way to understand Qumran concepts and writings. Scholars have toiled to establish the semantic range of רוח, and various speculations have been proffered. Davidson, *Angels*, 152–156 at 156, discusses this issue at length, and concludes that the term encompasses a number of concepts, including supernatural beings, that is, angels. He therefore concludes that the spirits of the Angel of Darkness are "evil angels." Since they are in conflict with the Prince of Light, the Good Angel, and possibly his entourage of angels, he concludes that "this idea is consistent with the overall cosmic dualism of the Two Spirits Discourse." Since I dispute this notion of cosmic dualism, I also disagree with Davidson's deductions. I postulate that the Qumran author and his readers did not attempt to classify the רוחות "spirits," which refer to the psychological impulses in humans and have no relationship whatsoever with "angels" except their incorporeity, or to establish the different nature and functions of the angels; the רוחות were supernatural entities, and beyond human perception. The Qumran authors were not concerned with determining the precise essence and functions of the angels, or of any being of the supernatural world; these were super-terrestrial entities, also beyond human perception.

[210] Davidson, *Angels*, 148, declares, for example, that the angel of darkness in 1QS iii:21–22 is identical with Belial. He quotes Yadin (without an exact source) in identifying the Prince of Lights as Michael. Wernberg-Møller, *Manual*, 71 n. 60, asserts that it is Uriel. Von der Osten-Sacken, *Gott und Belial*, 116, identifies the Prince of Lights as Michael and the Angel of Darkness as Belial.

and מלאך אמת "Angel of Truth," and we may assume that both refer to the same figure.[211] In 1QS ii:6 we encounter Belial as the leader of the cursed evil men, but in iii:20–21 it is the Angels of Darkness who dominate the sons of deceit; it seems both the humans and their leaders are identical, as the Sons of Darkness, but all are described with other names. Davidson asserts that Belial is the same as the Angel of Darkness.[212] We would expect the latter to be the leader of the spirits who attempt to corrupt and mislead the righteous, but in iii:23–24 the dominion of Mastema accomplishes this task. Yadin perceived this figure as identical with Belial,[213] which would give us three names for the same angel. P. Alexander elaborates on the evil angels / demons and their different names and functions, and declares that in Qumran writings "it is not always clear whether demons or angels are referred to"; further, "the Qumran inventory of demons, on analysis, turns out to be vague."[214] Leaney perceives a confusion in the text of the Two Spirits regarding the two opposing spirits, stating that the writer does not affirm clearly whether he wishes to teach that humanity, as such, is a combination of a good and a bad spirit or that humankind is divisible into the good (arising from light) and the bad (arising from darkness).[215] We observe again that the dualism theory is based on modern investigative and systematic interpretations, extraneous to ancient Israelite authors and readers, and hence does not stand on solid ground. The terminological inconsistencies and the ambiguous texts demonstrate how utterly different the approach of Qumran Sages was from that of modern scholars, and the futility of attempts to deduce philosophical and theological considerations from Qumran texts.[216] Qumran Sages wrote for their contemporary readers and according to their horizon of expectation. They did not envisage that scholars with a dissimilar worldview would analyze their literature two thousand years later and, in particular, would attempt to decode enigmatic topics.

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[211] Later in the study I will suggest a hypothesis with respect to the character of the two concepts of Light and Truth.

[212] Davidson, *Angels*, 147.

[213] Yadin, *Scroll of the War*, 213.

[214] Alexander, "Demonology," 334, 336.

[215] Leaney, *Rule of Qumran*, 37.

[216] Collins, "The Expectation," 86, demonstrates that "the various models of eschatology found in the Scrolls do not yield a fully coherent system" and notes that "it is not apparent that all these texts were ever synthesized into a coherent system." His statement on the topic of eschatology is equally appropriate with respect to other theological issues.

In consequence, we should not impose on Qumran writings our different modes of thought, especially with respect to interpretations imputing to them theologies that go against scriptural principles

6.5.3.7. *"Light" and "Darkness" in Scripture and Qumran Writings*
The other concept that may have led scholars to see Persian influence in Qumran is the apparent association of the cosmic elements of light and darkness with the source of good and evil. The theory that light struggles with darkness, rain with drought, warmth with icy conditions, is a dualistic *Weltanschauung* in the Zoroastrian Two-Powers belief, which perceives the universe as an eternal battleground between two coexistent divine and warring principles.[217] In the Jewish monotheistic view, founded on Scripture[218] and confirmed by Qumran,[219] God establishes a harmonious relationship between the cosmic conditions, and there is no struggle between light and darkness. The entire thesis of dualism in Qumran therefore falls apart. This concept is not part of the monotheistic version of Persian belief, which is comparable from this point of view to the Israelite belief. In his description of this version, Mehr compares the monotheistic Zoroastrian view to the biblical narrative of God separating light from darkness in the act of creation (Gen 1:4);[220] there is no primordial combat here. Light and darkness simply represent opposites, since no concept without its opposite can be perceived by

[217] Nigosian, *Zoroastrian Faith*, 8.

[218] We read in Jer 31:34 (35 in KJV), "This is what the Lord says, he who appoints the sun to shine by day, who decrees the moon and stars to shine by night, who stirs up the sea so that its waves roar—the Lord Almighty is his name."

[219] 4Q392 1:4–7. These lines show textual and grammatical difficulties: see Menachem Kister, "4Q392 1 and the Conception of Light in Qumran 'Dualism,'" in *Meghillot* 3 (ed. M. Bar-Asher and D. Dimant; Jerusalem: Bialik, 2005), 125–142. I will cite García Martínez' translation: "He created darkness and light for himself; and in his dwelling the perfect light shines, and all the shades rest before him; and he does not need to separate light from darkness, because for the sons of the man he separated them as the light at daytime and with the sun, at night the moon and the stars. And with him there is an unsearchable and unknowable light for all the works of God are wonderful [to understand, as in Job 42:3 'things too wonderful which I would not know' or in Ps 131:1 'I do not occupy myself with things too great and too marvelous for me']." The context absolutely requires this meaning. We deduce two things relevant to our study: (a) The natural cycle of light and darkness, created and regulated by God for humans, without any connotation of dualism or hidden theology; and (b) that man cannot understand the divine essence and must not attempt to delve into searching for it.

[220] Mehr, *Zoroastrian*.

humans in our world. An illustration is the Ten Principles of Pythagoras, also known as the Table of the Opposites,[221] which lists limited and unlimited, odd and even, one and plurality, good and bad, light and darkness, and so on. In Israelite belief, founded upon Scripture, the concepts of light and darkness are metaphors for various ideas of goodness and evil.[222]

A great array of biblical verses serve as evidence for the metaphorical nature of light and darkness, and it is most probable that this metaphor was adapted by Qumran. We also encounter in *2 Baruch* the comparison of sin to black and dark waters, and of good deeds to bright waters; thus sins and the virtuous deeds are the main subject of the comparison, not the brightness and darkness that serve as a metaphor and a concrete representation of the intangible concepts of goodness and evil.[223] I will

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[221] Philo, *De Gigantibus* I, affirms his *Weltanschauung* as a world of opposites. We read there, "the good disposition of one, displays the evil disposition of myriads." Philo justifies his statement by the example of the sun, which "dissipates the thick and dense darkness which is shed over earth and sea." Concluding, he affirms the principle: "for it is by the contrary that it is especially the nature of contraries to be known." He did not know the later concept of "dualism," coined in modern times, particularly for Persian mythology. Philo speaks of opposites, but the modern scholar Wright, *Origins*, 206, conflates opposites with dualism. In his deliberation on Philo's attitude, he writes, "it is perhaps better identified as a discussion of the nature of opposites, a dualistic approach in anthropology in first century CE Judaism"; "Philo implies there is an ethical dualism present within humanity." Like other scholars, Wright cannot liberate himself from the primeval scholarly attribution of a Persian-type "Dualism" to Qumran, implying the existence of non-normative Judaism in the inter-testamental period. Following the well-trodden path of Dualism, he imposes on Qumran the modern concept of a "Dualistic Worldview," in the form a blend of "cosmic, ethical and psychological dualisms" at 167–177.

[222] Driver, *Judean Scrolls*, 551, writes, "these terms are thus used in the Scrolls not in the literal but in a figurative or metaphorical sense." Boccaccini, *Beyond*, 60–61, writes, "Light stands for everything true, good and righteous. Darkness stands for everything deceitful, unrighteous, and evil." He subsequently indicates—in conformity, in my opinion, with the above assertion—that Qumran dualism is not absolute (61). I understand in the same light his statement that the Qumran sectarians had a dualistic worldview that made God the source of both good and evil (187), that is, not an absolute dualism. Leaney, *Rule of Qumran*, 129, pondering the meaning of the expression "the lot of God," states that it constitutes a "curiously anthropomorphic metaphor used for the 'portion' of God or of light." He quotes (at 130) a striking phrase, attributed to God, from 2Cor 4:6 that unequivocally demonstrates the metaphorical sense of light and darkness: "Light shall shine out of darkness, which has shined in your hearts for the enlightenment of the knowledge of the glory of God in the face of Christ."

[223] I will quote here relevant excerpts from 56:6–57:3: "And goodness languished. What therefore can be blacker or darker than these things"; "darkness of darkness

also cite here two biblical examples.[224] The most striking example of this metaphor is in Isa 5:20: "Woe unto them that call evil good, and good evil; that put darkness for light, and light for darkness; that put bitter for sweet, and sweet for bitter." In Qoh 2:13 we encounter light as a metaphor for wisdom and darkness as a metaphor for folly, significant concepts in the *Treatise on the Two Spirits*.[225] We read there, "Then I saw that wisdom excelleth folly, as far as light excelleth darkness" (KJV translation).[226]

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was produced"; "after these (waters) thou didst see bright waters: this is the fount of Abraham." There is no cosmic allusion in this portrayal.

[224] I will quote a number of further examples. We read in Ezek 32:8: "All the bright lights of heaven will I make dark over thee, and set darkness upon thy land." Mic 7:8 states: "Rejoice not against me, O mine enemy: when I fall, I shall arise; when I sit in darkness, the Lord shall be a light unto me." Light and darkness are not to be taken literally in these verses, as they are in many others; they are metaphors for good and evil of all kinds. Another striking example of light in the sense of good fortune, we encounter in Esth 8:16: "the Jews had light, and gladness, and joy and honor." This is the KJV literal translation, but the NIV has omitted the term light, because it seemed to the translator/interpreter as non relevant. Indeed, while the other expressions are relevant to a community who had such a miraculous salvation from annihilation, the term light seems utterly inopportune, if one is inattentive of the Jewish symbolic essence of the term "light." See also Joel 2:2; Amos 5:18 and 20; Zeph 1:15; Job 3:9, 12:25 and 30:26; Isa 9:11, 42:16, 58:10 and 59:9; Lam 3:2 and Ps 112:4 and 139:12.

[225] We read in 1QS iv:3, "intelligence, understanding and potent wisdom"; in line 10, its opposite, regarding the spirit of the Sons of Darkness, "much foolishness"; and in line 24 the contrasting qualities: "they walk in wisdom or in folly." Line 26 states, "[God] has given a legacy to the sons of man so that they know good and evil." The author stresses the divine endowment of wisdom that enables humans to discern between goodness and evil, and thus to choose goodness.

[226] I wonder that Collins, "Mythology," 607, perceives in Amos 5:18 ("Woe to you who long for the day of the Lord! Why do you long for the day of the Lord? That day will be darkness, not light") "a point of contact for Jewish and Persian religion" and "a new dimension of dualism in biblical terminology." I think the concept of light as representing good and darkness as evil is a natural and universal axiom and serves as a metaphor, as is evident from this line. The author used the terms "dark" and "light" not literally but figuratively, in the sense of calamities versus good fortune, supporting my proposition that they are metaphors, as is also evident from a great array of other biblical citations. For example, one of the ten plagues of Egypt was darkness; in Ezek 32:8 we read, "All the shining lights in the heavens I will darken over you; I will bring darkness over your land, declares the Sovereign Lord." It is evident that the prophet does not intend to convey the occurrence of a solar eclipse; darkness represents symbolically, in poetic language, the aggregate of all calamities that will befall Egypt, enumerated antecedently and subsequently in the prophecy. Collins is mindful not to allege explicitly a Persian influence on Amos, who delivered his prophecy before any contact between Israel and Persia had occurred, but he nevertheless attempts to impute a dualist ideology to Qumran

There is a compelling example of Qumran's perception of these terms in 1Q27 1 i:5–6: "Evil will disappear before justice as darkness disappears before light. As smoke vanishes, and no longer exists, so will evil vanish forever." Here there is a different situation: evil is compared to darkness and justice (rather than wisdom or good deeds) to light. This demonstrates the metaphorical understanding of light and darkness in Qumran literature, and contradicts any notion of their cosmic character. We observe a similar use in Matt 4:16: "The people living in darkness have seen a great light; on those living in the land of the shadow of death a light has dawned." Again, light and darkness in Qumran literature do not indicate dualism but, rather, depict two opposites, like everything in our life.[227] Since goodness includes many virtues, of which a considerable number are set out in 1QS,[228] the author of this text used for literary

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literature and to trace it to "Persian influence." This mythology of a battle between the Prince of Light and the Prince of Darkness replaced, in his opinion, the Canaanite chaos myth. The result of Collins' complex speculations would be that Canaanite sources were the primary origin of the biblical dualism theory, forged in its final configuration by Qumran. He concludes at 608 that the majority of motifs in the War Scroll are biblical, "however the end-product … can be directly attributed to Persian influence." I find it odd that in his opinion the essence of the dualistic worldview would thus be a biblical idea. In a lengthy argument, Philip R. Davies, "Dualism and Eschatology in the Qumran War Scroll," *VT* 38 (1978): 28–36 at 36, disputes Collins' analysis and deductions with respect to dualism in 1QM, concluding that the "various dualistic sets of terminology within 1QM are perhaps incapable of a straightforward solution." On the other hand, in his later study "Qumran and Apocalyptic," 132–133, Davies perceives "a cosmic battle between light and darkness" in 1QM. The confusion arises because of the zealous attempt to reveal dualism and Persian influence on Qumran literature, if necessary even labeling polarities as different types of dualism that have nothing in common with Zoroastrian cosmological theology.

[227] Cf. Shaked, "Qumran and Iran," 435–436, who apparently ignores the metaphorical character of light and darkness in Scripture and thus perceives a tension between the psychological aspect of certain 1QS pronouncements and the instances of light versus darkness with a cosmic connotation. He conjectures that this "indicates the two spiritual entities which represent the two poles of the ethical dualism, in a 'cosmic' manner." One wonders what exactly this composite phrase means in simple language.

[228] For example, "to practise truth, justice, and righteousness"; "truth, genuine humility, love of charity, and righteous intent"; "the paths of true righteousness"; "plenteous compassion upon all who hold fast to truth"; "to do that which is good and upright before Him"; "to hate everything He rejected"; "to love all the Children of Light"; "let him order his steps to walk faultlessly in all the ways of God"; "humility, patience, abundant compassion, perpetual goodness, insight, understanding, and powerful wisdom"; "a spirit knowledgeable in every plan of action, zealous for the laws of righteousness, holy in its thoughts." The great majority of these quotations are mentioned in the *Treatise on the Two Spirits*, and only a few in columns I and II.

purposes[229] the scriptural metaphorical concept of light to encompass all these virtues;[230] its opposite, darkness, encompasses all evil.[231]

6.5.3.8. *The Expressions* בני אור *"Sons of Light" and* בני חושך *"Sons of Darkness" in 1QS*

Related to the concepts of light and darkness as the cornerstones of the dualism theory are the expressions בני אור and בני חושך, the presumed cosmic adversaries. These terms are used abundantly in 1QM, which is definitely associated with 1QS,[232] but it is extremely odd that the term בני אור appears only three times in the *Treatise on the Two Spirits*,[233] while בני חושך is totally absent.[234] There, the term בליעל is mainly used;[235] the

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[229] Leaney, *Rule of Qumran*, 37–38, states that the metaphor of light versus darkness "seems to provide a fundamental antithesis in all poetry, religion and primitive philosophy." Subsequent to an extended deliberation on this topic, he observes the common uses of the light/darkness metaphor in the Jewish way of thinking (42).

[230] Von der Osten-Sacken, *Gott und Belial*, 81, states that it was attested that the light and darkness dualism in Qumran cannot be attributed to Iranian influence. At 139, he posits a possible influence, but not a dependence on Iranian dogma, since the structure of the dualism in 1QS is of a different character than the Iranian; the spirits are unequivocally subordinate to God and have a limited status, in contrast to the Iranian authority and independence of the two primordial powers.

[231] We encounter in Sir 11:16 the association of darkness with error/sin (missing in Greek version): "Error and darkness had their beginning together with sinners."

[232] See von der Osten-Sacken, *Gott und Belial*, 116; Duhaime, "Dualistic Reworking," 36.

[233] In the detailed description of the nature of the two opposing groups, in which their attributes are mentioned, the expression בני צדק "the Sons of Justice" appears in iii:20, and בני אמת "the Sons of Truth" in iv:5 and 6, instead of the expected בני אור "the Sons of Light." The oddity in iii:20 is most striking; one would in particular expect that the שר אורים "Prince of Lights" should dominate its cognates, the בני אור "Sons of Light," not the בני צדק "Sons of Justice."

[234] One would in particular expect here that the מלאך חושך "the Angel of Darkness" should dominate its cognates, the בני חושך "the Sons of Darkness," but the opposite of the Sons of Justice in iii:20 are the בני עול "Sons of Deceit/the Wicked" in iii:21. In iv:2–8, as noted earlier, a long list of the good features of the Sons of Light is enumerated, and in 9–11 there is a similar list of those of the wicked, though these are not named. Line iv:9 refers to the spirit of deceit, but from the text one understands that the features refer to humans dominated by this evil spirit. Since there is a lacuna between the first part of line 8 and the beginning of line 9, it is possible that the name of the group is missing; at any rate, it does not seem plausible that the expression "Sons of Darkness" is missing, since at the conclusion of the treatise the opposing concepts of טוב and רע "good and evil" are introduced.

[235] The good and evil attributes of the respective groups are portrayed as including a great array of characteristics. In contrast to the primary thesis of the Two Spirits found in 1QS, these MSS use a less rigid literary style.

same pattern is found in the related 4Q174 and 177 texts.[236] Hence, the world is not divided into two antagonistic groups in constant struggle, the Sons of Light and the Sons of Darkness, just as we have demonstrated with respect to the alleged combat between the cosmic aspects of Light and Darkness. We observe that in other Qumran writings, such as CD-A XIII:14 and 4Q298 frg. 1:1, the righteous are called בני שחר "Sons of Dawn" and their opponents, the wicked, are בני השחת "Sons of the Pit" (CD-A VI:15).[237] The sobriquets "Light" and "Darkness" are not mentioned as the identifying marks of the righteous and the wicked; "Dawn" and "the Pit" are used instead.[238]

In the detailed description of the nature of the two opposing groups, in which their attributes are mentioned, the names of the opposing parties are interchangeable. With respect to the contraposition of מלאך חושך to שר אורים, apparently two different entities in May's view,[239] it is plausible to assume that the שר האורים "Prince of Lights"[240] is the patron of all goodness, the highest rank in the angelic hierarchy, while the other good angels, the patrons of specific virtues such as the Angel of Truth (or spirit of truth, as May states), are subordinates of the Prince of Lights.[241] Since God sides with good against evil, the author does not grant such an elevated status to the patron of evil, and therefore juxtaposes the lower-ranked Angel of Darkness to the Prince of Lights (1QS iii:20–21).[242]

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[236] Steudel, *Der Midrasch*, 167, does not see the absence of the term בני חושך as a parallel to בני אור as negating the supposition of a light/darkness dualism, and perceives "dualistic titles" in the two MSS.

[237] This is the translation of García Martínez, which seems to me correct in view of a few biblical verses in which the noun must be understood as a pit, as, for example, in Ezek 28:8, Ps 30:10 and 94:13.

[238] Whereas the term "Sons of Dawn" could perhaps be connected to the rising sun (though it does not express the metaphorical concept of light but, rather, of hope, like light at the end of the tunnel), the term "pit" does not express a concept of darkness. Instead, it denotes being consigned to destruction, since its root is the verb שחת "to destroy." At any rate, the contingent alternatives of Dawn and Pit for Light and Darkness do not convey the concept of a struggle between these cosmic powers, as scholars allege.

[239] May, "Cosmological," 7, discerns between the conflicts between the angel of light and the angel of darkness and between the spirit of truth and the spirit of deceit.

[240] This may explain the use of plural שר אורים for the Prince of Light (1QS iii:20), instead of the singular אור in בני אור. Davidson, *Angels*, 149, acknowledges the existence of "a contingent of assistants" to the Princes of Light and of Darkness. Leaney, *Rule of Qumran*, 148, proposes another explanation: it may be because this angel controlled the stars. I think my postulate is more reasonable, and is supported by Davidson.

[241] On this point see also n. 241.

[242] Wernberg-Møller, "Reconsideration," 425 ff., considers this difference of power and status between the Prince of Lights and the Angel of Darkness as evidence against dualism, in which the ranks of both conflicting entities are equal.

The terms "Sons of Light" and "Sons of Darkness" in Qumran, absent in the Zoroastrian language, are metaphorical, as in Isa 43:6, Ezek 16:21, and Hos 2:1 (1:10 in KJV), in which the Israelites are called God's "sons."[243]

In my opinion, this pattern supports my proposition that the expression בני אור represents, for literary expediency, a general epithet for "good" Israelites, the members of the Qumran group, whose behavior is described at length, in contrast to בני חושך, the "wicked" Israelites, who behave in the opposite way. The apparent disparity in terminology between the "Prince of Lights" and his "subjects," the "sons of justice," and the replacement of "sons of light" with "sons of justice" or "sons of truth" by the author of the treatise, must be perceived as deliberate; they demonstrate his intent to emphasize the distinction between the all-encompassing concept of goodness, represented by the Prince of Light, and the virtuous attributes of those who wish to be under his protection. This portrayal of the heavenly patron of all goodness has no affinity with the Persian understanding of the primeval, independent powers of light and darkness. In 1QS, the author's objective is to portray the opposing entities and their distinct attributes and to outline the divinely implanted spiritual inclinations in humans that determine this state of affairs. However, without the few references in 1QS, we could not identify the "Sons of Light," the main subject of 1QM.[244] In 1QM, in contrast, the focus is on describing the eschatological war; a comprehensive portrayal of the opposing groups in 1QM would therefore be superfluous, and the generic designations "Sons of Light" and "Sons of Darkness" are sufficient. The distinct objectives of 1QS and 1QM explain the dissimilarity between the two interconnected treatises with respect to the use of the expressions בני אור and בני חושך.

Further arguments support my proposition. We read in 1QS iii:24 about the angel of darkness וכול רוחי גורלו "and all the spirits of his [the angel of darkness'] lot," with רוחות in plural. This demonstrates the many

[243] The terms בני אלהים and בני אלים in Scripture (Gen 6:2 and 4; Job 1:6, 2:1, 38:7; Ps 29:1, 89:7) for angels are similarly the source of the term אלים in Qumran writings, demonstrating again their attachment to scriptural styles and concepts.

[244] Cf. von der Osten-Sacken, *Gott und Belial*, 116, who states that 1QM is to be perceived as prior to 1QS. Davies, "Concept of War," 226, also challenges "the consensus that the dualism of the Qumran texts was primary." Both ignore my question about the lack of knowledge of the real meaning of Light and Darkness, and the identification and attributes of the Sons of Light and Darkness, cited without any indication in 1QM, suggesting that they were well known from another source. This opinion is rejected by many scholars. See the list in Duhaime, "Dualistic Reworking," 36, n. 21.

evil features included in the metaphorical concept of darkness; for a reference to darkness as one evil power fighting the good power of light, the singular would be appropriate. We may derive the same conclusion from the expressions דרכי אור and דרכי חושך "paths of light" and "paths of darkness" in iii:20–21. The plural indicates the many elements embodied in the symbolic concepts of light and darkness, as is further corroborated in the expression בהויות חושך in iv:13, which I understand as expressing the many calamities associated with darkness. García Martínez and Tigchelaar interpret this as "abysses of darkness," but Wise and Abegg translate it as "happenstance."[245] I do not know García Martínez' source for his translation, but I think that Wise and Abegg's translation of this problematic term is etymologically more appropriate. The term occurs only once in Scripture, in Exod 9:3, as the singular הויה,[246] which has given a lot of difficulty to both traditional and modern interpreters.[247] In my opinion, taking the root היה "to be" as the source of the biblical expression, I would follow the LXX ἐπέσται, in essence "will attack," in Exod, and the Hebrew term הויה is more specific in 1QS IV:13 concerning the evils of darkness; this translation fits the context and agrees conceptually both with Wise's translation and with the all-inclusive connotation of darkness.[248]

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[245] Michael Wise, Martin Abegg, Jr., and Edward Cook, *Dead Sea Scrolls*: *A New Translation* (San Francisco: HarperCollins, 1996).

[246] We read there, הנה יד ה׳ הויה במקנך "the hand of the Lord will bring a terrible plague on your livestock." The term הויה occurs in many instances in rabbinic literature, clearly having its root in היה "to be"; it has the connotation of "becoming" (e.g., to be married, to get married).

[247] The traditional interpreters offered different explanations for this unique term. The KJV interprets it as "will come," the NRSV as "will strike," the NIV as "will bring." Noth's English translation has "will fall." The LXX translation "to come upon, to happen," with a hostile connotation, fits the Hebrew root היה and the context.

[248] May, "Cosmological," 2, who rejects Wernberg-Møller's denial of dualism in 1QS, brushes off the significance of the plural used for רוחות "spirits" in 1QS, which challenges the dualistic theory. He maintains that "the context in general is certainly concerned with two spirits." Though I dispute his assertion in this instance, I do not disagree that texts in general, and Qumran texts in particular, can be interpreted in different ways, due to their odd, sometimes cryptic, language and occasionally inconsistent assertions. Given this evident fact, I think the key for a reasonable interpretation should be, first, its conformity (or lack thereof) with clear scriptural utterances, and then a diligent exploration of the plausibility of biblical sources for its language and ideology. Only when there is failure to reveal a biblical source should one investigate foreign influences, and this possibility should be examined with respect to ideology as well as language.

6.5.4. *A Proposed Interpretation of 1QS iii:19*

We must also understand symbolically, and not as indicating some clear and precise doctrine, the problematic text of 1QS iii:19: במעון אור תולדות האמת וממקור חושך תולדות העול, the core of scholarly proposals on the theory of cosmic dualism. García Martínez translates this as "From the spring of light stem the generations of truth, and from the source of darkness the generations of deceit." Wise paraphrases as "Upright character and fate originate with the habitation of Light, perverse, with the Fountain of Darkness."[249] As we can see, these are both interpretations, rather than translations, of the awkward verse, with terms added to or removed from the original text.[250] As one would normally expect a conceptual parallelism of the two phrases, García Martínez has interpreted the term מעון as "spring juxtaposed to מקור." In Scripture, מעון always means a dwelling, at times of various types, but never "spring." The root of מעון is עון "to dwell," whereas the root of מעין "spring" is עין, as in Gen 16:7. Further, the preposition ב in במעון would mean "in," not "from," as he translates it; the term "from" is appropriate for the preposition מ, as correctly translated in the term וממקור. Wise tries to circumvent this hurdle by translating במעון and ממקור as "originated with," in the sense of "together with," instead of the usual "from" with "originate." In their quest to create a parallel between the two elements of the verse and to equalize them with the prepositions "from" or "with," the translators seem to have ignored the author's intention to distinguish between the two elements by using the distinctly different prepositions "in" and "from." I will analyze the meaning of the equivocal term תולדות in 1QS III:19 before presenting my suggestion for the interpretation of the verse. I will then scrutinize a number of key words used in the above verse and in the *Treatise on the Two Spirits*, demonstrating their relevance to the suggested interpretation of 1QS III:19 and to my thesis against the imposition of cosmic dualism on the Treatise.

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[249] Von der Osten-Sacken, *Gott und Belial*, 19, interprets במעון as *Quelle*, "source"; the questions relevant to the other translators are similarly relevant to his interpretation.

[250] This is a common procedure of the traditional translators/interpreters. The awkward term מעון in 1 Sam 2:29 is translated as "dwelling" in the KJV and NIV; the NRSV ignores it altogether, and the LXX also ignores it but adds "seen shamelessly," which is absent in the text.

6.5.4.1. *The Meaning of* תולדות

The meaning of the vague term תולדות creates another significant dilemma in this context. In iii:13, García Martínez interprets it as "the nature," a term that seems contextually appropriate. Wise interprets it as "character and fate." "Character" is synonymous with García Martínez' "nature," but "fate" blatantly adds a concept that is absent in the text. However, in iii:19 both translators interpret the identical term תולדות as "the generations." Since Hebrew grammar does not need a verb for the composition of a sentence, García Martínez adds the term "stem," whereas Wise adds the verb "originate." Yet both interpret the term תולדות in a way that is utterly different, conceptually, from their interpretation of the same term in iii:13. Their interpretation of the term in III:19 seems to have been induced by an intent to adapt the verse to the conventional theory that the two spirits, the good and the evil, originate respectively from light and darkness. This interpretation supports the allegation that the *Treatise on the Two Spirits* is built on the theory of Cosmic Dualism, influenced by the Zoroastrian dogma.[251] I understand that the translators could not delve into this issue in their translation, and were simply following common opinion. I am convinced, however, that on the research level one cannot ignore these issues, as well as others regarding the intrinsically related expressions בני אור and בני חושך in 1QS, discussed above. The difficulties raised by the term תולדות are reflected in the various hypotheses raised by scholars in attempting to resolve them.[252] I propose another hypothesis, based on rabbinic concepts. In my opinion, the cautious use of such concepts is an appropriate method for understanding ambiguous Qumranic texts and expressions.[253]

We encounter the terms אבות הטומאה "principal agents of pollution" (*m. Kel.* 1:1), אבות מלאכות "primary works that are prohibited to be performed on Sabbath" (*m. Shabb.* 7:2), and אבות נזיקין "principal damaging agents" (*m. B.Qam.* 1:1), where אבות has the sense of "principal [parent] categories." These metaphorical "parents" engender subordinate derivatives, which are called תולדות "offspring."[254] The "parent" categories

[251] Leaney, *Rule of Qumran*, 37, perceives this passage as metaphorical, since "it is not easy to show the logical connection between the spirits 'set in' man and the sources (dwelling and well) from which the two 'generations' of men respectively arise."

[252] See, e.g., a list of such propositions in von der Osten-Sacken, *Gott und Belial*, 19 n. 1.

[253] See Heger, *Cult*, ch. 2.

[254] We encounter similar metaphors in contemporary legal language; for example, the term "grandfather" is used to indicate old rights or privileges that cannot be annulled despite their being now repealed or forbidden.

are primarily items mentioned specifically in Scripture, while their "offspring" are items conceptually similar to them.[255] Some offspring are legally equal to the parent,[256] while others have a lower legal status.[257] Considering this meaning of תולדות, I would postulate its interpretation in iii:19 as "offspring" in the sense of "subordinates," and would read the text as follows: "In the realm of light are the offspring [or the subordinate ramifications] of truth, and from the source of darkness are the ramifications of wrongdoings." Such an interpretation indicates what attributes are included in the metaphorical concepts "light" and "darkness"; it does not indicate a cosmic primeval source of evil, as in Persian mythology. The theory of Persian influence on 1QS is similarly undermined by the opposition of "truth" to "wrongdoings," a concept that definitely has no connection with Persian dualistic dogma, as alleged by J.J. Collins and other scholars.[258] The association of evil attributes with darkness and of good attributes with light in iii:19 is due to the universal perception of darkness as something negative and frightening and the association of light with life and goodness. We encounter it also in Pauline writings, in Eph 5:8–11: "For once you were darkness, but now in the Lord you are light. Live as children of light for the fruit of the light is found in all that is good and right and true. Try to find out what is pleasing to the Lord. Take no part in the unfruitful works of darkness, but instead expose them."

We may also assume that the association in Qumran literature of the righteous and the wicked with the good and evil inclinations may be due to the influence of Isa 29:15[259] and Ezek 8:12.[260] We read there

[255] See *b. B. Qam*. 2b.

[256] For example, with respect to works prohibited on Sabbath, blowing glass, which is not a principal work, is prohibited because of its similarity to building (*y. Shabb*. 7:2, 10d).

[257] For example, a person who touches a corpse is unclean for seven days, but one who touches him is unclean for only one day (Num 19:22); the corpse is the אבי אבות הטומאה "the primary ancestor," the person who touches it is אב הטומאה "Father of uncleanness," the principal bearer of pollution, while those who touch him are the תולדות, the subordinates, the third degree in rabbinic terminology. There are similar rules on various topics in rabbinic literature. With respect to principal categories of damage, we may note, for example, the rule regarding damage caused by the horn of a goring ox (Exod 21:28). This is the principal damage caused by an ox; damage caused by a kick, a bite, or a push by an ox are תולדות, secondary damages, of which some are legally identical to the principal and some are treated differently (*b. B. Qam*. 2b).

[258] Collins, *Seers*, 33. See n. 186.

[259] We read there, "Woe to those who go to great depths to hide their plans from the Lord, who do their work in darkness and think, 'Who sees us? Who will know?' "

[260] We read there, "He said to me, 'Son of man, have you seen what the elders of the house of Israel are doing in the darkness, each at the shrine of his own idol?' They say, 'The Lord does not see us; the Lord has forsaken the land.' "

that the wicked perform their evil deeds in darkness to avoid a defiant and unconcealed affront to God. In that period there was no doubt in Israel about the existence of an omnipotent God, whom all feared; the wicked believed they might avoid his ire and punishment by acting in darkness, where God would not see. Similarly, in 4Q544 (4QVis of ʿAmram^{b} ar) 2:14 we read, "all his deeds are darkness." Darkness is thus the source of wickedness; without darkness, wickedness would not occur. In light of the above arguments, therefore, we observe that according to Qumran's view, the world does not consist of two powers, light and darkness, in constant struggle; the contrast between the biblical metaphoric concepts of light and darkness does not attest a cosmic dualistic theory. Consequently, the attachment of the label "dualism" to Qumran theology is unfounded.

6.6. The Meaning of Key Words Used in the Two Spirits Treatise

6.6.1. *The Range of Meaning of* אמת *and* עול *in Jewish Thought and in 1QS*

The use of the term עול "wrongdoing" as the opposite of the term אמת "truth" in the Treatise has puzzled scholars. One would expect the terms כזב or שקר "lie," which would accord with our conceptual understanding as the opposite of "truth"—the more so since both terms appear often in Qumran writings, and in 1QS iv:21 the term שקר appears in opposition to אמת.

As I have stated here and elsewhere, we must turn first to Jewish literature when we encounter what seem to us enigmatic expressions or ideas in Qumran literature.[261] The term אמת in Scripture has indeed the meaning of "truth," but also expresses in many instances a much wider concept of "goodness" or of "doing what is right." I will cite a few examples in which this last interpretation is absolutely imperative. The phrase חסד ואמת appears often in Scripture, and is commonly translated as "faithfulness and truth"—concepts that make no sense outside the context of asking these favours of God or man, or giving thanks for them. In the first occurrence of this phrase, in Gen 24:27, Eliezer thanks

[261] Davies, "Concept of War," 221, writes on a similar issue that a solution to an Old Testament dilemma must be found within the ambit of a Jewish document, not in the New Testament.

God, who has not forsaken His חסד ואמת to Abraham; in 24:49 he asks Laban to show חסד ואמת to his master. The NIV translates the phrase as "kindness and faithfulness" in both cases, whereas the KJV translates it in v. 27 as "mercy and truth" and in v. 49 as "kindly and truly." The RSV gives in v. 27 "love and faithfulness" and in v. 49 "loyally and truly." The LXX translates in v. 27 "righteousness and truth," and in v. 49 "compassion/justice and righteousness." Onkelos and Pseudo-Jonathan give "goodness and truth" in both verses. We observe the problematic nature of this phrase, particularly with respect to the interpretation of the term אמת in the different contexts. I wish to emphasize that its interpretation as "faithfulness," which expands its limited meaning, seems to me inappropriate in the context of Gen 24:27. "Faithfulness" is usually employed in the context of humanity's relationship to God; man's faith in God is a virtue, as articulated with respect to Abraham's faith in God, whereas God is perceived as always faithful to those who believe in him and accomplish his commands.[262] The interpretation of אמת as representing absolute goodness would be appropriate in this concept.

However, when Eliezer thanks God in Gen 24:48 for having directed him to the right people, using the term דרך אמת, all translators interpret this as "the right way," a translation that would seem inappropriate if we understood אמת only as "truth." We must consider, however, how the Jews of the period in question understood these terms. The expression אנשי אמת in Exod 18:21 must be perceived, according to its context, as "impeccable men"—that is, faultless, fit to be judges. If the author's intent had been to express the requirement of "men speaking the truth," he would have used the phrase דברי אמת, as in Jer 23:28: ידבר דברי אמת. We also observe the significance of "truth" as an all-embracing concept that includes all the virtuous attributes of humankind and the antithesis of wickedness in 1QS iv:21–22,[263] and the absolute goodness of the divine commands in 1QS I:15.[264] And just as the Red Heifer mixture purifies humans from ritual impurity, the symbolic sprinkling of the רוח אמת "spirit of truth" will cleanse them from all wrongdoing and make them predisposed to attain the highest rank, the comprehension of the insight of the Most High and the wisdom of the sons of heaven. In Mal 2:6,

[262] We read in Gen 15:6, "Abram believed the Lord, and he credited it to him as righteousness."

[263] We read there, "like purifying waters, He shall sprinkle each with a spirit of truth, effectual against all the abominations of lying and sullying by unclean spirit."

[264] We read there, "They shall turn aside from His unerring laws neither to the right nor the left."

תורת אמת היתה בפיהו ועולה לא נמצא בשפתיו—the exact parallel to our 1QS iii:19, contrasting אמת with עול[265]—the NIV gives the interpretation "True instruction was in his mouth and nothing false was on his lips"; the KJV has "unrighteousness" instead of "false." The NRSV interprets it as "wrong." The term אמת is translated as "truth," but its opposite the term עול is interpreted as an extended concept of evil, thus indicating that the term "truth" should also be understood in an extended manner in Mal and in similar occurrences, as a generic references to righteous versus evil. The traditional commentators, including *Sifre* Deut *piska* 305 and *b. Sanh*. 6b, interpreted this verse in a broadened manner, including, for example, concepts such as making peace, going in the right way, and causing others to repent, performed by the pious Levi. The term עול usually represents the general idea of wrongdoing in Scripture, the foundation of Qumran's use in this connotation.

The significance of the concept of truth, in its widest symbolic connotations, is evident in a number of further instances in 1QS, of which I will give a few examples. In the phrase לעשות אמת "practice truth, justice and righteousness" (1QS I:5), the term *practice* is appropriate for deeds, not for telling the truth. In 1QS IV:2, we read, "Upon earth their operations are these: one enlightens a man's mind, making straight before him the paths of true righteousness and causing his heart to fear the laws." In 1QS IV:18–19, we read, "but at the time appointed for visitation He shall destroy such [wrongdoing] forever. Then shall truth come forth in victory upon the earth. Sullied by wicked ways while בממשלת עולה wrongdoing rules." The interpretation of אמת as an all-embracing concept of all that is truly good is evident.

A similar association of truth with righteousness and of deceit with wickedness, the two opposite inclinations in mankind, we encounter in *The Testaments of the Twelve Patriarchs, Testament of Judah* 20:3: "that two spirits wait upon man, the spirit of truth and the spirit of deceit. And the works of truth and the works of deceit are written upon the hearts of men," identical to the pronouncement in 1QS III:19. I therefore dispute J.J. Collins's assumption of Persian influence on Qumran literature because of the use of the term כזב "lie" in CD and in the Gathas.[266] The use of this term in CD is limited particularly to wrong or false interpretations of Scripture, similar to the accusation against דורשי חלוקות "those who seek smooth things" in 1QH x:15 and other instances. In the *Treatise*

[265] The two terms are also set in contrast in Isa 61:8 and Ezek 18:8.
[266] Collins, *Seers*, 33.

on the Two Spirits, the alleged dualistic text, on the other hand, the broad term עולה is used, and this serves as evidence against Persian influence.

Looking now at עול, we note that the phrase ואין עול as a divine attribute in Deut 32:4 is translated by the KJV as "without injustice," and by the NIV as "who does no wrong," in essence the same as the LXX ἀδικία "[without] wrongdoing." In Deut 25:16, which concludes a range of rules including wrongdoing of all kinds,[267] we read, כי תועבת ה׳ אלהיך כל עשה אלה כל עשה עול. The KJV translates this as "For all that do such things, and all that do unrighteously," following the LXX, which translates תועבה as βδέλυγμα "abomination" and עול as ἄδικον "wrongdoing (of persons)," a generic term. The correct interpretation, accordingly, is "Whoever does all these wrongdoings (enumerated precedently) is an abomination (in the eyes of) God." The NIV interprets this as follows: "For the Lord your God detests anyone who does these things, anyone who deals dishonestly." This translator interprets the phrase incorrectly, in my opinion, as referring only to the dishonest deeds cited immediately before it. The lemma starts in chapter 12 with an array of wrongdoings of various types, such as the idolatrous, sexual,[268] ethical, and moral, and the concluding verse 25:16 relates, as we have seen, to all wrongdoings, both financial and sexual; this is the reason for the apparent reiteration in an appropriate literary style, concluding the foregoing admonitions. We observe that the author of 1QS, in the verse in question, uses generic oppositions in both instances: "light" versus "darkness" and "truth" versus "wrongdoing." The latter two concepts definitely have no connection to Persian dogma, which supports my thesis of a purely scriptural influence both on the theology/philosophy of the *Treatise on the Two Spirits* and on its literary language.

The conception of truth as a term comprising all that is good or righteous can be explained by looking at present-day Orthodox Jewish thought[269] and supported by the connotations of the term "truth" in many

[267] The statutes and judgments of the Moab covenant start with ch. 12 and end with ch. 28. However, there are no prohibitions of wrongdoing at the end of chapters 25–28; therefore, I consider v. 16 as concluding the rules.

[268] These misdoings are called תועבה and are comprised in the concluding verse 25:16.

[269] This method of drawing parallels between some of the writings of Qumran and the contemporary ultra-orthodox Jewish community is also used by other scholars. Schremer, "'They Did Not Read,'" 105, relying on Y. Liebes, "The Ultra-Orthodox Community and the Dead Sea Sect," in *Jerusalem Studies in Jewish Thought* (Hebrew; Jerusalem: Hebrew University, 1982), 137–152, writes, "in order to explain a certain aspect of the Qumranic revolution and its historical consequences, I shall start by drawing attention to an interesting development in orthodox Judaism of our own day."

occurrences in the New Testament. The Orthodox Jewish person believes that he knows the truth: the omnipotent and omniscient God has given the law to the Jews, and this knowledge of the truth requires the right behavior in thought and deed.[270] Knowledge of the ultimate truth is therefore the foundation of faith, faultless doctrine, and virtuous deeds; its opposite, the ignorance of truth, is the cause of all evil. We encounter the same idea in 1QH xiii:25–26: "and because of their guilt you have concealed the source of understanding and the foundation of truth. They plot within their heart."

Truth and understanding are linked; they are two complementary elements of good behavior,[271] and the lack of these elements is the cause of "plotting evil in their heart." In the NT we also find a great number of similar occurrences of the term "truth," instances where "truth" is not the opposite of "lie" but has a much wider and all-encompassing meaning. Grace and truth are realized through Jesus (John 1:17); truth makes one free (8:32); Jesus is the way and the truth (John 14:6); one is sanctified in the truth (John 17:19); and, finally, in John 16:13, in a lemma similar to our study of 1QS, the Spirit of truth guides one into all the truth.

In 1QS, the term עול is used in opposition to אמת in III:23, 24; V:10; VI:15, and this demonstrates how it was understood by the ancient author and his audience. The terms שקר, כחש, and רמיה "lying," "deceit," and "fraud" (as translated by Wise and Abegg) are distinct in their meaning from the term עול, which includes all the evil attributes, as we observe in 1QS IV:9–11.[272] The term שקר as "lie" appears in 1QS IV:9; V:15, and VI:24. The term כזב does not appear in 1QS; it appears three times in CD, but never in opposition to the term אמת.[273] The different applications of these terms demonstrate that each, in its context, represents a distinct meaning of the general terms *false* and *evil*. The substantiated

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[270] Leaney, *Rule of Qumran*, 121, ponders the possible meanings of the term "knowledge," which might refer to the knowledge of God or God's knowledge of man. With respect to our subject matter, I think it refers to the knowledge of God.

[271] We read in 4Q413 1–2 2, "For according to God's love of man he increased his inheritance in the knowledge of his truth."

[272] We read there, "The operations of the spirit of falsehood result in greed, neglect of righteous deeds, wickedness, lying, pride and haughtiness, cruel deceit and fraud, massive hypocrisy, a want of self-control and abundant foolishness, a zeal for arrogance, abominable deeds fashioned by whorish desire, lechery in its filthy manifestation, a reviling tongue, blind eyes, deaf ears, stiff neck and hard heart—to the end of walking in all the ways of darkness and evil cunning."

[273] This answers Collins's claim in *Seers*, 33, that the use of the term כזב "lie" in CD and in the Gathas demonstrates Persian influence on Qumran writings and theology.

fact that the terms אמת, עול, and כזב had different meanings in Qumran writings than in our contemporary usage, should serve as a warning to interpreters of ancient writings who are attempting to deduce from current meanings of terms the ideologies of ancient authors and their audiences. One must consider how ancient people may have understood texts and specific terms, and consider their overall beliefs in the context of their various writings,[274] rather than viewing them according to our current modes of thought.

6.6.2. *The Significance of "Wisdom" and Its Linkage to "Truth"*

Real wisdom, like real truth, is the faculty to comprehend correctly what God requires from humans/Israelites and how to live one's life accordingly. We read in Ps 11:10, "The fear of the Lord is the beginning of wisdom; all who follow his precepts have good understanding." Likewise, we read in 4Q215a 1 ii:5 of the circumstances that will prevail at the Time of Righteousness: "the earth will be filled with knowledge and praise of God."[275] This indicates the type of knowledge that will lead to the praise of God. Its opposite, the lack of real wisdom, is the root of all evil, as we observed in 1QS IV:9–11, cited above.[276] Similarly, the evil behavior described in CD v 16 is attributed to the fact that "it is a people without knowledge/wisdom." The utmost significance of wisdom, associated with light, given to humankind for proper and virtuous living, is also clearly evident from many Qumran texts; 1QS ii:3 is one example.[277] The priests bless the members of the Community: "May He illuminate your heart[278] with wisdom for living and grace you

[274] Kugler, "Hearing 4Q225," 102, writes that employing a reader-response approach, that is, "what the audience at Qumran might have believed," could lead to a better reconstruction of the community's religion.

[275] The author uses a biblicized language, taken from Isa 11: 9 "for the earth will be filled with the knowledge of the Lord as the waters cover the sea."

[276] We read there that the attributes of the wicked include "blind eyes, deaf ears, stiff neck and hard heart."

[277] Shaked, "Qumran and Iran," 440, stresses the "prominence attached to the concept of *da'ath* in the Qumran Scrolls," and indicates the similarity with the good Iranian god Ohrmazd, who possesses this faculty, in contrast to the evil Ahreman. Though Qumran's concept of knowledge may be similar to Iranian mythology, there is a great difference between them. While one of God's attributes is also אל הדעות "God of knowledge" (1QS iii:15), Qumran underlines in their prayers and hymns the granting of knowledge to man. See, for example, 1QS ii:3: "May he lighten your heart with life-giving wisdom and grant you eternal knowledge," and similar notions in iv:4, 6, 22; ix:17; etc.

[278] I have translated this line according to the Hebrew text; the result is a fusion of the interpretations of García Martínez and Wise.

with eternal knowledge."[279] The significance given to the wisdom of each individual to prevail against evil inclinations is explicitly evident in 11QPs[a] xix:14–15, in which the author prays for absolution for his sins and divine assistance to avoid misconduct in future. He starts, "Bestow on me a spirit of faith and knowledge," and continues, "Let Satan not dominate me, nor an unclean spirit; let pain and the evil inclination not possess my bones" (translation by Vermes)."[280] We encounter a similar linkage between wisdom/knowledge and truth in 4Q417 (4QInstr[c]) li:6–7: "And study (it) continually. And then thou shalt know truth and iniquity, wisdom—[and foolish]ness." In another text of the period, the *Testaments of the Twelve Patriarchs, The Testament of Judah* 20:1–2, we observe a similar explicit pronouncement on the wisdom given to humans that enables them to choose the correct inclination.[281]

Wisdom as the foundation of virtue is acclaimed in many instances, as is its lack, the reason behind evil, as in 1QS xi:1, 3, and in 1QH xi:22–23, in which the world's destiny depends upon knowledge. The rank of a Community member, a position of great importance in a tightly organized group with no individual independence, is also defined by the degree of wisdom. We read in 1QH xviii:27, "To the sons of your truth you have given intelligence everlasting and to the extent of their knowledge one is honored above another." This refers to the wisdom and knowledge for the correct understanding of Scripture and its consequent obligations.[282] Similarly, the expression שכלו ומעשיו is a criterion for the differences in rank, as we read in 1QS v:21: "his wisdom/insight [following García Martínez' translation, or "understanding," following Wise and

[279] Elgvin, "Wisdom," 33, writes that the Two Spirits Treatise "abounds with sapiential terms and motifs."

[280] Satan has no precisely defined function in Qumran literature, which demonstrates the futility of expecting a consistent and fully coherent theology in these writings. Here he instigates the corruption of Israelites, whereas in other instances, such as 1QH[a] xxii bottom 6; xxiv middle 3; and 4Q504 (4QDibHam[a]) 1–2 iv:12–13 (García Martínez' classification), Satan is definitely an executor of dire acts against Israel.

[281] We read there "that two spirits wait upon man the spirit of truth and the spirit of deceit. And in the midst is the spirit of understanding of the mind, to which it belongeth to turn whithersoever it will."

[282] We read a similar statement in 1QH[a] vi:18–19: "according to his intelligence I bring him near, I love him in proportion to the abundance of his inheritance." Merrill, *Qumran and Predestination*, 29, quotes this line and perceives it as a "curious idea that the elect have different stages or degrees of inheritance and that the Psalmist, therefore, loves them according to their particular position in the community." My postulate renders intelligible this and similar "curious" pronouncements.

Abegg's translation] and his deeds in the Torah."[283] Consequently, foolishness, the lack of wisdom, stimulates wickedness, as we read in 4Q418 (Instruction[d]) frg. 69 II:8: "And [then] will all the foolish-minded be destroyed" (trans. J. Strugnell and D. Harrington). This evidently refers to sinners, who are foolish by not obeying divine commands. Wisdom and obedience to God's commands are intrinsically interconnected, as we read in Ps 111:10: "The fear of the Lord is the beginning of wisdom; all who follow his precepts have good understanding." 4Q525 (4QBeatitudes) 2–3ii+3:3–4 proffers the same maxim: "Blessed is the man who attains wisdom, *vacat* and walks in the law of the Most High: establishes his heart in its ways." The literary structure of the verse demonstrates their interrelation and mutual influence: the fear of the Lord, which evokes obedience to his commands, generates wisdom, and all who obey his commands are wise. Likewise, contempt of God generates foolishness, and those who disobey God are fools.

The spirits of, or inclination toward, goodness and evil are given in equal degree to every person, as appears in 1QS iv:25: בד בבד שמן אל "God appointed them [the good and the evil] in equal parts." However, the *degree* of intelligence or wisdom in each person is different, as is evident from the above text and further substantiated in 1QH xviii:28: "and so for the son of your maid-servant you have increased his legacy in the knowledge of your truth."[284] The expression "according to each

[283] I translate שכל as "wisdom," the most common scriptural meaning of the term, as in Ps 111:10 and 1 Chr 22:12. The LXX translates it as σοφία "intelligence, practical wisdom" in Chr and as σύνεσις "intelligence" in Ps 111 (Ps 110:10 in LXX). I consider the degree of understanding/wisdom as the crucial factor for distinction, rather than "his deeds," since each member of the Community is expected to fulfill the divine rules in the same manner. Von der Osten-Sacken, *Gott und Belial*, 173, also sees "his deeds" as secondary, but grants more importance to the expression לפי רוחותם "their spirits," according to his deterministic attitude (see antecedent note), than to the many expressions of wisdom/understanding. Moreover, he understands that the rank of each member in the Community depends "vom verschiedenem Grad der Einsicht und Geistesstärke" ("on the different level of insight and vigor of the mind"). Apparently "vigor of the mind" would also mean "understanding," but he associates the expression לפי רוחותם "their spirits" with the Two Spirits theory, which is completely different from my interpretation. He does not consider the practical question of how the strength of the innate human inclination to good and evil could be judged within the Qumran community, especially when the author admits in 1QS iv:19–22 that the members of the Community also sin. Further, he makes no distinction between the members; all are equally included in those whom God will "cleanse … from all the abhorrence of deceit and from the defilement of the unclean spirit."

[284] Greg Schmidt Goering, *Wisdom's Root Revealed: Ben Sira and the Election of Israel* (Leiden: Brill, 2009), 21, writes that according to Sir, "YHWH as wise and sovereign

person's spiritual heritage, whether great or small" refers to the degree of wisdom,[285] as does the expression "and has given them as a legacy to the sons of man so that they know good and evil."[286] The differences of the rank of each member in the *Yahad* community and its association with wisdom appears in many occurrences, such as 1QS ii:23; iii:14;[287] v:21 and 23; vi:2, 9, 14, 18, and 22; and ix:12 and 15. In 1QS iv:3 we find the combination of שכל ובינה "intelligence and understanding"

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creator dispenses wisdom to whomever he chooses, in whatever amount he chooses." He emphasizes that the difference is not qualitative but quantitative, and hence does not affect each person's faculty to choose wisely and follow the good impulses.

[285] The term נחל is used in connection with wisdom, here and in iv:26. There is a similar use in 4Q417 2 i:16: וינחילן לאנוש, followed in lines 17–18 by "for he did not know the difference between good and evil." We observe that the term נחל does not refer to the Two Spirits; for them the term שים is used. In iii:18 the author uses the term וישם "and *placed* within him two spirits so that he would walk with them." The distinction in terms between the two different subjects is stressed in 1QS iv:15–16, in which the author used the term שמן: "walking according to their ways; the outworking of every deed inheres in these divisions according to each person's spiritual heritage, whether great or small, for every age of eternity. God has *appointed* these spirits as equals until the last age." The two terms נחל and שים unequivocally relate to two different subjects, as is further substantiated by the fact that each indicates a distinct benchmark: one is unequal, the other equal. The author portrays two disparate ideas in two independent sentences, each with its own subject and verb. Lange, *Weisheit und Prädestination*, 139–140, in his translation of iv:16, hints that the expression לפי נחלת איש relates to the two spirits, and in his comments on iv:26 he declares explicitly that the expression וינחילן relates to the two spirits. He ignores the two separate sentences and the dissimilar verbs, which indicate their distinction, explaining the connection of the two apparently different topics in iv:26 as follows: the purpose of the two spirits in humans is to enable every person to discern between good and evil (164). This interpretation seems to me illogical; the faculty to discern between good and evil depends on wisdom, not on the two spirits, which both attempt to seduce humans to follow their path, as we observe explicitly in 4Q544 (Visions of Amram) 1:12: "Which of us do you choose to be ruled?" Man's wisdom to discern between good and evil helps him to choose the right path, as Amram probably did. These lines, like many others in Qumran writings, are vague, but it seems to me that Lange's interpretation cannot be acknowledged.

[286] Wright, *Origins*, 168, writes, "the Community Rule 1QS 3.13–4.26 is characterized as a sapiential document with its primary instructions providing wisdom for individuals in the community to be able to discern good and wicked."

[287] In this instance, we must interpret the expression לפי רוחותם in relation to Qumran's understanding of the many other attributes that establish rank within the Community. As we have seen, the term רוח has many connotations; given the unsystematic style of the Qumran writings, at least in our eyes, we must use our logic when one pronouncement is vague or conflicts with another. For example, in 1QS v:21 we read, שכלו ומעשיו בתורה "his insights and his deeds in law" (transl. Martínez, Tigchelaar) but in line 23, on the same issue, the term בתורה is not mentioned. Moreover, the precise meaning is vague, since all members are obligated to follow the rules exactly and are constantly supervised and strictly punished or expelled for transgressions.

as the foundation of righteousness among the attributes of the *Yahad*, probably taken from 1 Chr 22:12;[288] this pronouncement demonstrates the significance of wisdom in general, and in particular as the criterion for establishing rank within the Community.

The above interpretation of the concept נחלה "inheritance/legacy/birthright," alluding to wisdom, and the contextual interpretation of the term גורל[289] likewise undermine the theory of double predestination. This theory alleges that different ratios of goodness and evil are implanted in humans at birth, establishing their wicked or good behavior during their lifetime and in the afterlife. It is only the degree of intelligence, a special gift from God,[290] that varies from person to person; the inclinations to good and evil are implanted equally in all human beings, and it is up to them how they behave during their lives.

6.6.3. *The Concept of Hating Sinners*

I dispute the idea, alleged by some scholars, that hating sinners and avoiding any dealings with them, concepts that appear often in Qumran writings,[291] are a consequence of a dualistic *Weltanschauung*. Rather, they are an internal development of biblical ideas. Many biblical verses indicate

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[288] We read there, "May the Lord give you discretion and understanding" (this is the NIV translation, but the LXX translates שכל ובינה as σοφίαν καὶ σύνεσιν "wisdom and intelligence," which I consider more appropriate) "when he puts you in command over Israel, so that you may keep the law of the Lord your God."

[289] The term גורל "lot" is interpreted by scholars as having the connotation of a lottery drawing, suggesting that God establishes by a type of "lottery" before birth who will be righteous and who will be wicked. I will discuss at length this rather preposterous allegation, which suggests that according to Qumran's theology humans have no free will and their fate is decided by God on frivolous motives—like the behavior of the Greek gods. This is not the place to elaborate on the absurdity of such an allegation, which conflicts with an essential and decisive element of Israelite religion. Like many other Qumran terms, גורל must be interpreted in various ways according to context. Similarly, the English word "lot" has a great variety of meanings and synonyms, some of which are suitable for our purpose. On this point see also n. 117.

[290] We read in Prov 2:6: "For the Lord gives wisdom, and from his mouth come knowledge and understanding." See David J.A. Clines, *On the Way to the Postmodern*, vol. 2 (JSOTSup 292; Sheffield: Academic, 1998), 530. There is a similar dictum in Job 28:28: "And he said to man: the fear of the Lord is wisdom, and to shun evil is understanding."

[291] For example, we read in 1QS I:10, "and to hate all the Children of Darkness, each commensurate with his guilt"; in 1QS IX:21–22, "These are the precepts of the Way for the Instructor in these times, as to his loving and hating: eternal hatred and a concealing spirit for the Men of the Pit."

the divine hatred of evil and evildoers, as well as solemn pronouncements promoting the virtue of the righteous who also hate them.[292] For instance, we read of the divine hatred of evildoers in Prov 15:26: "The Lord detests the thoughts of the wicked," and in Ps 11:5: "The Lord examines the righteous, but the wicked and those who love violence his soul hates." Its culmination we encounter in Ps 139:21–22: "Do I not hate them that hate you, O Lord? And do I not loathe them that rise up against you? I hate them with perfect hatred; I count them my enemies." The rabbis also interpret Prov 8:13 as a command to hate sinners (*b. Pes.* 113b).[293] On the virtue of hating evil, we read in Amos 5:15, "Hate evil, love good," and in Ps 97:10: "Let those who love the Lord, hate evil."

The isolation of Israel from other peoples to avoid their bad influences is a cornerstone of biblical theology; we encounter in Deut 7:3–4 the distinctive prohibition of intermarriage with members of the seven nations, which Ezra extends to comprise all Gentile women. Deut 7:4 explains the motivation for this prohibition: "For they [the alien partners] would turn away your sons from following me, to serve other gods." The precarious circumstances of the Qumran group, their harassment by the authorities, and their sociological motivations for isolating themselves from the general public, amply discussed by scholars, led them to promote these and many similar biblical maxims in their writings and apply them in practice. The sharp division between the Qumran group, the Sons of Light, and their opponents, the wicked Jews, the Sons of Darkness, is the outgrowth of such biblical dicta applied to contemporaneous circumstances. It is not the opposing of light and darkness, "congenial to a sectarian view of the world," as Collins asserts.[294]

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[292] See Edmund Felix Sutcliffe, "Hatred at Qumran," *RevQ* 7 (1960): 345–356, particularly 346–350.

[293] We read in *b. Pes.* 113b, "it is a precept to hate him [the sinner], since it is written: 'To fear the Lord is to hate evil.' " Though the literal text reads רע "evil," the rabbis interpreted it as "evildoer," alleging that it refers to the circumstance of seeing somebody performing an evil deed.

[294] Collins, *Seers*, 38.

6.7. The Source of the Two Spirits Theory

6.7.1. *The Cognate Concepts of* רוח, יצר *and* לב *in Scripture and Qumran*

The source of the Two Spirits theory is not Zoroastrian dogma; rather, it is an internal Jewish development of biblical concepts, expressed in different terms (though Qumran may possibly have adapted Persian terminology to their own characteristic beliefs).[295] The scriptural term לב "the heart," perceived to be the seat of human emotions and passions,[296] was considered the source of inspiration for good or bad behavior. Qumran scholars, possibly because of their developed angelology, chose the term רוחות "spirits," a related image.[297] But at the same time, they were well aware of the linkage between the biblical terms לֵב andיצר, the human inclinations; it appears often in their writings.[298] The rabbis adopted the term יצר "impulse" for their identical theory, plausibly because of the biblical association of the terms לב and יצר in Gen 8:21: "even though every יצר לב *inclination of his heart* is evil from childhood." In essence, all three terms and their ramifications with respect to our study are identical.

I will quote a few biblical verses to demonstrate that Scripture uses the term לב "heart" for the same purpose as the term רוחות "spirits" was used by Qumran. We read in Deut 15:9, "Be careful not to harbor in your heart this בליעל 'wicked thought.'" The translators have interpreted the term *Belial* as "wicked" (LXX "lawless"), but for our study it is

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[295] Barr, "The Question," 229–230, concludes his comprehensive study on possible Zoroastrian influences on Judaism and Christianity by stating that although there may exist certain common concepts, their function is different in each religion; thus, their existence does not indicate submission to the other religions system. The awareness of Persian dogma may have facilitated the task of the Qumran author in creating a sophisticated formulation of his own ideas. Often a person has difficulty putting an idea into words and creating a comprehensive thesis; reading someone else's phrasing of even an opposing idea may help him to formulate his own. Charlesworth, "Critical," 79, writes that "in no other Jewish document did this schema attain so high a level of sophistication."

[296] See H.J. Fabry, "לב," *TDOT*.

[297] Wernberg-Møller, "Reconsideration," 419, rejects his previous metaphysical understanding of the term רוח in 1QS, which was appropriate for the dualistic theory, and states that "every single individual has his own 'spirit,' as indeed, is the case in the Old Testament, when רוח is used of the emotional or intellectual centre of the soul."

[298] We read in 1QS iv:2–5 the expressions "enlighten the heart of man" with the purpose "to establish in his heart respect for the precepts of God"; further, "a holy intent with steadfastness of heart" (trans. Vermes). Evil schemes are linked to the evil inclination in 1QH xv:3: "my heart is horrified at evil schemes, for Belial is present when their destructive inclination becomes apparent."

significant that the term *Belial*, the source of evil, is connected with the heart. In 1QS II:3, the priests bless the members of the Community with enlightenment of the mind, with wisdom for virtuous living,[299] to enable them to resist the wicked inclination of stubbornness of the heart, which leads to going astray, and to ensure that "he should not walk in the stubbornness of his heart in order to go astray following his heart" (1QS V:4). The evil behavior of the Wicked Priest, Qumran's most detested enemy, who persecutes the Teacher of Righteousness, is rationalized in 1QpHab xi:4–16: "because he did not circumcise the foreskin of his heart."

Similarly, we read in Deut 5:26 (KJV 29), "Oh, that their hearts would be inclined to fear me and keep all my commands always, so that it might go well with them and their children forever." The heart is the seat of both virtuous and evil inclinations. In this sense it is identical with the rabbinic term **יצר**, and with the biblical concept of the heart's ethical function.[300] D. Seely cites instances of the term **לב** in Qumran literature in which its meaning corresponds to the rabbinic concept of **יצר**;[301] he also cites instances of the biblical coupling of the terms **מול** "to circumcise" and **לב** "heart" to convey symbolically the substitution of the bad inclination for the good one.[302] In 4Q436 1 i:4–5, "and you have strengthened upon my heart to walk in your path and you sharpened my kidneys so that they do not forget your laws" (trans. García Martínez and Tigchelaar), we observe an intervention into the heart to ensure man's correct behavior. This verse is a perfect parallel to the divine and angelic assistance of the righteous to withstand the seduction of the evil spirit in 1QS iii:24–25. Seely writes, "In the *Barkhi Nafshi* texts there is an occurrence of the phrase **יצר רע** 'evil spirit' juxtaposed with **לב טהור** 'a pure heart': 'The heart of stone that you have driven with rebukes far from me, and hast set a pure heart in its place. The **יצר הרע** *evil inclination* thou hast driven with rebukes from my inward parts' (4Q436 1 i 10)."[303]

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[299] We read there, "May He enlighten your mind with wisdom for living, be gracious to you with the knowledge of eternal things."

[300] Leaney, *Rule of Qumran*, 44, states that the belief that God created both the warring spirits in a man is in harmony with the later rabbinic doctrine of the two inclinations.

[301] David Rolph Seely, "The 'Circumcised Heart' in 4Q434 'Barki Nafshi,'" *RevQ* 65–68 (1996): 527–535.

[302] For example, in 4Q434 1 i:4; 4Q504 4:11; in 1QS v:5, we encounter an association of circumcision with the term **יצר**, unquestionably a bad inclination in this instance.

[303] Seely, "The 'Circumcised Heart,'" 533.

In 1QS iv:20–21, we read of the ultimate disappearance of the bad impulse in Israelites, identical to the end of evil: "ripping out all spirit of injustice from the innermost part of his flesh." This is equivalent to Ezekiel's prophecy for the days to come, the ultimate salvation of Israel, in 11:19: "And I will give them one heart, and I will put a new spirit within you; and I will take the stony heart out of their flesh, and will give them a heart of flesh." A host of similar scriptural verses corroborates the argument that, conceptually, the Qumranic terms רוחות of the good and evil spirits are identical with the scriptural heart as the seat for the inclinations in Scripture.[304] We see the close relationship between Qumran's mindset, theology, and terminology and the rabbinic equivalents, which confirms Qumran's adherence to fundamental Jewish thought and scriptural terms, thus supporting our thesis against the presence of a foreign-influenced dualism. If Qumran's idea of two spirits, good and evil, embedded by God in man before his birth, is perceived as dualism, then both Scripture and rabbinic literature are dualistic as well. But this is not what the scholars who perceived dualism in Qumran had in mind; they identified a Zoroastrian type of dualism, alien to traditional Jewish thought.[305]

6.8. An Innovative Approach to the Dualism Theory by S. Hultgren

In a recent publication, S. Hultgren attempts to find evidence for a cosmic dualism in Qumran in three major sources: Aramaic Sacerdotal Texts, Sapiential Tradition, and 1QS iii:13–iv:26.[306] I came across Hultgren's book after I had finished writing my study, but as it represents a different approach to the issue of dualism in Qumran, I include my response to it here.

Hultgren refers to particular expressions of 4Q544 (4Q *Visions of Amram* ar); his evidence is based on Melki-zedek and Melki-resha's

[304] I will cite, as examples, verses in various scriptural books in which the function of the heart is identical to that of the Two Spirits in 1QS and the two rabbinic impulses: Exod 4:21, 25:2; Num 32:9; Deut 15:9; Josh 14:8; 1 Sam 24:5; 1 Kgs 3:9; Isa 6:10; Jer 4:14; Ezek 11:19; Hos 13:8; Obad 1:3; Zech 7:12; Mal 2:2; Ps 141:4.

[305] Collins, *Seers*, 31, states that "Dualism was instituted by God as part of creation itself," and, further, "It is the myth of Persian Dualism."

[306] S. Hultgren, *From the Damascus Covenant to the Covenant of the Community* (STDJ 66; Leiden: Brill, 2007), 317.

declarations that they "have received control and rule over all the sons of Adam" (i:11–12) and that "one rules over all darkness and the other on all light" (ii:4–6). Hultgren cites J. Frey[307] in support of his theory that this document expresses "a strongly expressed cosmic dualism with the notion of opposed heavenly powers and the strict division of humanity into two opposed groups."[308] As I have shown, in the Two Spirits discourse in 1QS, God places both spirits/inclinations in man before his birth in equal parts, and it behooves each person to choose his path in life. The Prince of Light and the Angel of Darkness do not dominate humans; they are the Patrons of those who choose them as their patrons. The Patron Angel of Darkness is compelled to seduce humans to join his patronage, and a man is able, even after sinning, to repent and liberate himself from this patronage. He can choose instead the Prince of Light as his patron, who will help him to withstand the seduction of the Angels of Darkness. The Vision of Amram expresses, in essence, the same idea; the spirits approach him, saying, "Which of us do you choose to be ruled?" (4Q545 frg. I:12). Though the end of the lemma is missing, it is evident that Amram had free choice and did not choose Melki-resha. The use of the Aramaic term שלט "to rule" in the Vision of Amram is comparable to the Hebrew term משל "to dominate," used in 1QS III:20–21, and here as there it does not imply an absolute domination over humans. The term "rulers" does not indicate independent cosmic powers; their power is limited from above and from below. God granted them strictly defined authority and can retract it, as he will do at the End of the Days; and humans are not powerlessly obliged to obey their rules: the righteous must be lured by the Angel of Darkness, and the wicked can escape its domination by repentance. This reality suppresses the alleged dualistic division of the world into two defined camps, dominated by two cosmic entities; when a righteous person sins, he crosses the confines from one camp to another and changes his allegiance. The same circumstance occurs when a sinner repents, and thus there is no permanent and irreversible division of the world in two camps,[309] as one would expect from a "cosmic" phenomenon.

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[307] Ibid., 319.

[308] Ibid., 322.

[309] For example, Wright, *Origins*, 171, writes, "There are two groups of humans involved in the picture (11Q11)—the sons of Belial and the sons of Light. This reference in the text [is] to one of the two possible groups." See above Hultgren's assertion about the strict division of humanity into two opposed groups.

I also maintain, as I have argued above, that the Two Spirits theory of 1QS refers exclusively to Israelites, and thus does not indicate "a strongly expressed cosmic dualism with the notion of opposed heavenly powers and the strict division of humanity into two opposed groups dominated by the respective leader."[310] The apparently strict division between the Qumran community and its opponents is not founded on a universal separation, as Hultgren and some scholars perceive.[311] Their detachment from the bulk of Israelite society is, rather, of an isolationist nature, so as not to be corrupted by contact with impious and mischievous people, as I have argued above. Ezra's and Nehemiah's expansion of existing prohibitions on intermarriage, also aimed at isolation, to include all Gentiles[312] served as a model for the Qumran group, who perceived themselves as being like the first returnees from exile.[313] The strict separation from the bulk of society served as a catalyst for the creation of the Community's distinct identity and a tenacious coherence among its members, vital features for the endurance of a small opposition group. As we observe from the text of 4Q399 (4QMMT^{f}), however, this separation is not final and could be reversed if their opponents would accept Qumran's interpretation of Scripture. Neither the biblical rules of separation in Deut and Ezra/Neh nor the applied division of Qumran has any affinity with a dualistic worldview; they are of a different character.

Moreover, I do not believe it is appropriate to deduce from writings in Aramaic, whose origin and purpose are unknown,[314] any Qumran ideology that is contrary to entrenched Jewish doctrine.[315] We do not encounter any authentic Qumran doctrinal writings in Aramaic, and the fact that Aramaic texts were found in Qumran "libraries" is not evidence that they represent Qumranic ideologies. The Aramaic writings found at Qumran should be perceived as a collection of "non-canonical"

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[310] Hultgren, *From the Damascus*, 322.

[311] I have discussed at length in this chapter the character of the patron angels and their limited power.

[312] We read there, "The people of Israel, including the priests and the Levites, have not kept themselves separate from the neighboring peoples with their detestable practices."

[313] See Shemaryahu Talmon, "Between the Bible and the Mishna," in *The World of Qumran from Within* (ed. Shemaryahu Talmon; Jerusalem: Leiden, 1989), 11–52 at 41–45.

[314] E. Puech and other scholars assume a Samaritan origin. Hultgren, *From the Damascus*, 322 n. 12, quotes the various scholarly postulates on this issue.

[315] I have used the *Vision of Amram* to demonstrate an idea that concurs with both general Jewish and Qumran doctrines.

visionary tales by folk preachers,[316] with no ideological influence on the sophisticated Qumran scholars.[317] For his claim regarding the Sapiential Tradition, Hultgren again quotes non-sectarian sources that cannot serve to construct a theory based on speculative deductions;[318] further, none of these writings explicitly announces a dualistic worldview.

Hultgren states that an ethical dualism between the wise and the foolish, the righteous and the wicked, the good and the bad is already discernible in the wisdom writings of Prov and in Sir.[319]

James Kugel, too, writes that according to the biblical wisdom literature, humanity is polarized into righteous and wicked, wise and foolish.[320] However, polarity is not identical to a worldview of cosmic dualism. Moreover, according to explicit scriptural statements in Deut 30:15 ("See, I set before you today life and prosperity, death and destruction") and Isa 45:7, quoted above, it is God who has created the good and the bad, life and death, blessings and curses (Deut 30:19). Such a pattern of polarity, if indeed pursued by Qumran, does not indicate any dissident, revisionist, or reformist ideas, as alleged by scholars in the massive corpus of research literature revealing Dualism in Qumran writings; their authors simply followed scriptural theology precisely.

6.9. The Astrological Text 4Q186

Before concluding this chapter, I will comment briefly on the astrological text 4Q186. I do not believe that this questionable document, cited by some scholars as support for the dualism theory, represents a real challenge to my postulate against dualism in Qumran. It is a unique specimen, heavily damaged, whose real origin we do not know, and it contains a bizarre and vague text. The fact that it was found in a cave

[316] We observe, for example, the nature of the Aramaic writings, grouped together by the editors of the DSS in 4Q529–561; their content includes exorcism, visions, apocalyptic visions, otherworldly journeys, *midrashic*-type texts, and unclear texts (some labeled "historical" and some "esoteric").

[317] See my more extensive argumentation on this issue in ch. 4, pp. 148–150.

[318] Hultgren, *From the Damascus*, 330.

[319] Ibid., 331.

[320] James L. Kugel, *Traditions of the Bible: A Guide to the Bible as It Was at the Start of the Common Era* (Cambridge, MA: Harvard University Press, 1997), 27, writes, "Indeed, it is certainly significant, in the light of wisdom literature's polarized division of humanity into the righteous and the wicked, the wise and the foolish, that a similar polarization takes place in ancient exegesis."

together with other authentic Qumran writings is not evidence of its real source; it is definitely not a solid basis on which to establish a theory that Qumran scholars built a significant ideology that blatantly ignores biblical opposition to astrological beliefs and divinations[321] and has no logical compatibility with other Qumran writings and ideas.

For instance, if it were possible to recognize the character of a person through exterior traits of body and face, there would be no need for the meticulous interrogation and extended test period imposed on candidates for membership in the Qumran Community, and they would have avoided the shocking frustration of apostates. I cannot be persuaded to acknowledge that the highly intellectual authors and leader of the Qumran Community would create a significant theology on the basis of such a bizarre idea. M. Popović writes that "there seems to be no reason to interpret the light and darkness terminology of 4Q 186 as dualistic," and asserts that "the unique phrases 'house of light' and 'house of darkness' in 4Q 186 must be understood in an astrological sense."[322]

6.10. Conclusion

In conclusion, I would like to emphasize that a number of scholars, some of whom I quoted in the study, have opposed the notion of cosmic dualism and/or any dualism at all in Qumran writings.[323] I believe I have added new evidence against the perception of a rigid, absolute cosmic dualism in Qumran and the attempt to maintain any of its derivatives, such as ethical dualism, anthropological dualism, and so on.

Similarly, I have quoted some scholarly reservations about Iranian influence on Jewish religion in general, and on Qumran in particular, and have added my considerations to weaken, if not exclude, the effect of such influence. I have demonstrated the plausibility or credible probability (depending on the reader's evaluation of the biblical quotations) that the source of the *Treatise on the Two Spirits* and the terminology used should be attributed to Scripture rather than to Persian influence; the affinity of the *Treatise* with rabbinic concepts also supports this assertion. I have attempted to interpret accordingly certain equivocal verses of 1QS, in conformity with my conviction that where interpretation is in doubt,

[321] See Deut 18:9–14 and Isa 47:13.

[322] Popović, "Light and Darkness," 159.

[323] See, for example, H. Ringgren, *The Faith of Qumran* (Philadelphia: Fortress, 1963), 68–80.

we should first attempt to reveal appropriate biblical sources as the key to discovering their sources and understanding them. We must do our best to avoid an interpretation that is flagrantly in conflict with scriptural dicta and principles. I doubt whether scholars would have discovered dualism in 1QS iii:13–iv:26 if these texts did not use certain expressions parallel to those used in Zoroastrian dogma, which were hastily considered as determinant in initial examinations of the Two Spirits theory. The fundamental conflict between scriptural and Zoroastrian dogma was overlooked, and a meticulous analysis of the *Treatise on the Two Spirits*, which would have revealed its ideological incompatibility with Persian dogma, was omitted. Hesitation to overturn well-entrenched scholarly theories may have led later scholars who doubted the reality of a rigid, Persian-type dualism in the treatise to moderate their opposition and postulate different categories of inferior dualisms. I hope that my arguments will inspire at least a second thought, a reconsideration of the commonly accepted theory of dualism in Qumran.

CHAPTER SEVEN

AGAINST A THEORY OF DUAL DETERMINISM IN 1QS AND 1QH[a]

7.1. Introduction

Following the discovery of the three related scrolls known as the "Manual of Discipline," the "War Scroll," and the "Hodayot," there emerged a tendency to perceive in these writings certain peculiar beliefs transplanted from the Zoroastrian religion. I refer in particular to the theory of dualism, the fundamental element of the Iranian creed, and the theory of predestination. This inclination to detect Iranian influence within the Israelite faith has precipitated arguments about what seemed to be an unrestrained propensity to find dualism and predestination in Qumran literature.[1] This tendency took hold without sufficient research on the diversified and contradictory scholarly conceptions of Persian theology—in particular, theories of dualism and predestination—and without specifying the exact nature of predestination. Initially, most scholars did not dare to contradict the general trend, and the few contrarian voices were ignored.[2] Only later did scholars realize that most of the assumed dualism within Qumran texts cannot be considered as representing Zoroastrian cosmic dualism, and, similarly, that the term "predestination" is not a precise designation, as it does not take into account the concept's varied characteristics. To avoid contradicting the basic ideas of Persian influence, promulgated by eminent scholars, a number of different dualisms—psychological, ethical, anthropological, eschatological, soteriological, spatial, theological, radical, softened, dialectical, procosmic, anticosmic, absolute, relative and so on—were

[1] Frye, "Ritzenstein and Qumran," 268, writes in the conclusion to his study that "scholars grasp at every fragment to construct a system, in itself an enterprise fraught with many dangers." Levison, "Two Spirits," 175, writes that the determination to find evidence of Zoroastrian influence on Qumran "must have generated considerable enthusiasm."

[2] For example, Alfred Marx, "Y a-t-il une prédestination à Qumran?" *RevQ* 22, 6, fasc. 2 (1967): 163–181.

proposed;[3] and the predestination alleged to be found in Qumran texts was entirely or partly downgraded as not really wholly deterministic. My impression was that these issues had been amply discussed and that there was no scholarly interest in renewing the debates. However, a recent article by Magen Broshi, asserting in a superlative mode that the "firm belief" in Dual Predestination is "the single most important theological element in" the Manual of Discipline[4] and "the most important contribution of the Essenes to Christian theology,"[5] and particularly his singularly explicit and audacious pronouncement that this doctrine "differentiates it sharply from 'Normative Judaism,'" has motivated me to challenge this thesis.[6] Since the premise of predestination in Qumran is remarkably diffuse in scholarly circles, I do not expect an immediate reversal of the previous consensus and agreement with my theory; I do, however, count on an unbiased reconsideration of the contemporaneous state of scholarship, and I hope that my arguments will rekindle the debate on this significant issue.

7.2. Methodological Issues

First, we must note some methodological issues that seem to me crucial for a serious consideration of this topic. I believe that to declare that Qumran scholars consciously formulated a doctrine patently conflicting with abounding and explicit scriptural ideology that rejects Dual Predestination is, cautiously expressed, unwarranted. Broshi does not specify the term "Normative Judaism," but he admits that the Hebrew Bible "is an anthology upholding free will."[7] I have not encountered in Qumran writings any explicit declaration of Dual Predestination; such an allegation is only the result of multiple contingencies of interpretations. A theory founded on that frail basis, against the unmistakable evidence of Qumran's uncompromising adherence to biblical texts and precepts,

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[3] See Duhaime, "Dualistic Reworking," 35; Charlesworth, "Critical," 80.

[4] Magen Broshi, "Predestination in the Bible and the Dead Sea Scrolls," in *The Bible and the Dead Sea Scrolls*, vol. 2 (ed. James H. Charlesworth; Waco, TX: Baylor University Press, 2006), 235–246 at 235.

[5] Ibid., 245. Broshi affirms unhesitatingly that Qumran is identical with the Essenes. I am not taking a position on that still debatable issue, but since this is the almost general consensus and most of the scholarly sources quoted in the study maintain this maxim, I may give the impression in some instances that I agree with it.

[6] Ibid., 235.

[7] Ibid., 236.

seems to me *a priori* untenable;[8] such an assumption evokes the suspicion of a conscious or unintentional aim to consider Qumran ideology as deviating sharply from the mainstream Jewish orthodox doctrines, opening a path for a new and different course.[9] Therefore, the problematic texts must and can be interpreted in such a way as not to conflict with Scripture, Qumran's primary authoritative text and the foremost guide of their worldview. I will bring evidence that the alleged Dual Predestination in mainstream Christianity, assumed to be of Qumran origin, is based on an erroneous understanding of the controversy between Pelagius and St. Augustine. Moreover, scholarly assumptions of predestination in Qumran, founded on deductions from texts, which may lead to such a consequence, would be appropriate in relation to a coherent and systematic theology; Qumran writings, however, do not reveal a systematic and consistent ideology, nor were their scholars concerned with philosophical/theological issues or with reconciling inconsistencies and paradoxes, a concern intrinsic in every religious approach to theology. Hence, what seems to us today a logical outcome of their pronouncements did not strike a chord in their minds, and hence cannot be so alleged.

On the other hand, I believe that Qumran was familiar with monotheistic theology, and with its utter divergence from polytheism and the ramifications thereof, because of its paramount significance and its extended supremacy in Jewish society. They were certainly aware that free will is an essential element of monotheism; it is the absolute antithesis of gods or powers dominating the eternal struggling phenomena of day and night, rain and drought, good and evil, light and darkness, war and peace, and so on, and of the idea that the unique God does not care about His creatures. They believed in the absolute goodness of God and in His righteous approach to humans and to all living creatures. We read, among others, in Ps 136:25, "[God] gives food to every creature," and in Ps 145:17, "The Lord is righteous in all His ways and loving toward all He has made." Such a theology could not envisage God's acting deliberately with frivolity and negligence to the detriment of humans, as the polytheistic gods of Greek

[8] The significance of intertextuality with scriptural texts that are evidently against individual determinism must be recognized as a crucial element for the correct interpretation of Qumran writings.

[9] Dimant, "The Scrolls," 43, notes "the tendency of the early research to emphasize the affinities observed between the scrolls and the New Testament rather than their links with contemporary Judaism"; this may be the motive for postulating Qumran ideologies that would explicitly conflict with scriptural dicta.

mythology did. Condemning someone to be damned at birth without any justification could not be reconciled with the actions of the monotheistic God.

In contrast to Persian dualistic theology, which perceives evil events as performed by the bad god and good ones by the good god, monotheism holds that one God created and dominated everything. The fact that an animal eats another is not considered evil, as in the Persian belief of good animals and bad animals; all animals created by God, the predators and the tame alike, are included in the maxim that whatever God created is good, as written in Gen 1:25: "And God saw it was good." The fact that a predator eats another animal does not make it bad, since this is its way of life and nutrition as created by God. The same applies to the punishment of humans who behave badly, against the divine laws; this is not an evil divine act but an essential element of the system for maintaining the good order of the world for the benefit of its creatures. Modern science has demonstrated that predators play a vital role in maintaining the ecological balance of the world, but alas, just as individuals do not always grasp the connection between an action and its consequences, historians have not succeeded in determining unanimously the direct connection between human deeds and their consequences. However, believing people trust that the popular idiom of cause and effect or occurrences by chance are in reality divine intervention, rewarding good deeds and punishing evil ones. There is no doubt that the Qumran community consisted of people who were deeply convinced that God supervised and conducted the world in an absolute righteous way, and who consequently could not have believed in determinism, both for theological reasons and because of specific scriptural utterances to the contrary.

The idea of Persian influence on Qumran theology was impetuously proffered, notwithstanding the indecisive scholarly opinions about Zoroastrian theology, and particularly about the origin of evil and human free will. Apparent terminological similarities between Qumran writings and Persian concepts motivated these scholarly assumptions, suppressing what should have been the conventional stimulus to search for the biblical sources of Qumran doctrines.

My study will substantiate the above premises with relevant supporting citations, comparing Qumranic statements with those in Scripture and thus offering a different explanation of the problematic Qumran texts that are alleged to imply the theory of Dual Predeterminism. I will also comment on citations from Josephus that apparently support the existence of a Predeterminist theology in Qumran.

To avoid confusion, I wish to state that under the mantle of predestination, there are at least three distinct concepts: divine foreknowledge; predestination; and predeterminism, commonly called Dual Predestination.

In religious theologies, divine foreknowledge does not necessarily preclude human free will; although the omniscient God knows what man will choose, he is, in principle, free to determine his own way.[10] This position may seem paradoxical,[11] but both ancient and later Jewish thinkers and Christian theologians acknowledged it as viable.[12] I am not concerned in this study with the absolute philosophical truth of this maxim; rather, I am attempting to reveal what the ancient Qumran scholars and thinkers believed.

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[10] Merrill, *Qumran and Predestination*, 15, writes, "God knows from eternity what he will do and how the affairs of history will eventuate. The knowing does not produce the decrees of God; it is a concomitant."

[11] Jacques Berlinerblau, "Free Will and Determinism in First Isaiah: Secular Hermeneutics, The Poetics of Contingency, and Émile Durkheim's Homo Duplex," *JAAR* 71, 4 (2003): 768–791 at 768, quotes Durkheim's assertion, in *Professional Ethics and Civic Morals*, that "from the Advent of Christianity onwards, for instance, we find at one and the same time the theory of pre-determinism by Providence, and the theory that holds every man to be the mainspring of his own faith and morality."

[12] We read in *m. Abot* 2:15, in the name of Rabbi Akiba (Tanna second generation, flourished first half of second century CE), "Everything is foreseen [by God], but permission is given [to everybody how to act]." A different dictum to the same effect appears in *b. Ber*. 33b: "Everything is established [ahead] by heaven, except the fear of God [that is, a correct comportment]." It is supported by Deut 10:13: "And now, O Israel, what does the Lord your God ask of you but to fear the Lord your God, to walk in all His ways, to love Him, to serve the Lord your God with all your heart and with all your soul." Hence it is evident that God is asking the Israelites to fear Him, in consequence of which they will follow His commands; it explicitly implies their free will, not a predetermined imposition one way or another. In *b. Mak*. 10b we read another version: "A person is guided in the way he wants to go." Maimonides, in *Hil. Tshuva* 5:5, admits a paradox in his statement that divine foreknowledge does not oppose human free will, declaring that humans cannot comprehend divine understanding and thought. He emphatically states in 6:1 that it would be preposterous to assume that God would compel man to sin. I am not debating here the apparent N.T. support for Dual Predestination, since there are many equivocal and sometimes contradictory quotations, which I will discuss later. The early authors, similar to the O.T. authors, were not concerned with and did not develop a consistent theology. St. Augustine's theology on the supposed contradiction of God's omniscience and omnipotence with man's free will was interpreted by Thomas Aquinas, who asserted that God wills the salvation of all souls but that certain souls are granted special grace that is resisted by others, since the rejection or acceptance of grace or of temptation depends on man's free will (see *Catholic Encyclopedia* and official Catholic doctrine).

Predestination, as a doctrine of God's plan and governance of the world and its history, in the sense of the ultimate retribution or punishment of nations and individuals according to their behavior, is attested in Scripture and is at the core of all monotheistic religions.[13] It does not, however, infringe on the freedom of individual people, and plausibly also of nations, to choose righteous or evil behavior.[14] Qumran does not make an exception, as I understand its writings.[15]

Predeterminism, commonly called Dual Predestination, is a theological theory that God, for no apparent reason, foreordains certain souls to damnation, from which they cannot escape. This doctrine cannot be reconciled with any religion that presents a moral and just god,[16] one who cares for his creatures.[17] This is the type of determinism that is the sub-

[13] The issue of Predestination, in the sense that God planned in advance all historical occurrences of the world order, and its relationship with the free will of nations and with divine foreknowledge is not clearly defined in Scripture; it was not a matter that concerned its authors and redactors. Clines, *On the Way to Postmodern*, 528, scrutinizes the various biblical quotations relevant to Predestination in the Old Testament. He observes different characters of Predestination in the Old Testament's primeval history, in which divine intervention is triggered by human actions and therefore does not constitute real predestination, at 526. Predestination "is an aspect of the doctrine of creation … not a predestination to salvation or damnation but an affirmation of God's purposiveness in creation." On the subject of our inquiry, individual predeterminism, Clines concludes categorically, at 540, that "the Old Testament knows nothing of a divine predestination that determines in advance the particular acts of an individual."

[14] M. Mansoor, *The Thanksgiving Hymns* (Leiden: Brill, 1968), 56, writes, "The deterministic view of human destiny is far reaching in Qumran. The destiny of the righteous as well as of the sinner is already determined by God from birth." I agree, in principle, with the general predestination theory that the sinner will be punished and the righteous person rewarded, but this does not mean that it is established, at birth, who will be wicked and who will be righteous, with no potential for change. The unique Qumran verse that may be perceived as professing an individual, irreversible predeterminism, as Mansoor postulates, is extensively discussed and interpreted differently in the present study.

[15] Broshi, "Predestination," 236, quotes Sanders, *Paul and Palestinian Judaism*, 42–43, who states that no form of Judaism known to us considered predestination and free will to be incompatible.

[16] It is remarkable that although Muhammad apparently preached Dual Predestination, asserting that "God makes whom He will to err, and whom He will He guides, and you shall be called to account for your actions" (S. XVI:95), we read in "Some Remarks on Free Will and Predestination in Islam, together with a translation of the Kitabu-l Qadar from the Sahih of Al-Bukkari," *JRAS* 1 (1924): 45, that "protest against determinism was made in Damascus as early as the end of the seventh century." The renowned Islamic scholar Ignác Goldzieher said, "Prophets are not theologians," and this maxim is appropriate also for our subject.

[17] The many social rules in Scripture attest to this. Gen 18:19 declares that God has

ject of our inquiry, as well as of my rebuttal of its pertinence in Qumran. Broshi asserts that "no monotheistic religious system can adhere exclusively to either predestination or free will,"[18] but nevertheless he states that Qumran adopted just such a view of Dual Predestination, a theory that categorically denies human free will. We may therefore ask, does he impute to Qumran a theology that does not conform to the basic precepts of any monotheistic religion? Or does he not perceive an outright contradiction in his allegation? Further, if he accepts, as he explicitly states, that one encounters in Scripture both predestination and free will,[19] why can we not acknowledge an identical circumstance in Qumran writings? There is no hint in Scripture of a Dual Predestination; it is solely the product of Broshi's subjective interpretation. We must consider another crucial issue, the distinction between the collective nation of Israel and the individual human being. Scripture speaks often in the singular mode, even when its subject is the entire nation of Israel. We must distinguish between divine determinism of historical events,[20] the cornerstone of fundamental Israelite doctrine—such as the divine plan for Abraham's descendants to be enslaved in a country not their own for 400 years, followed by their redemption and enrichment (Gen 15:13–14)—and the destiny of an individual. I believe that this issue defines the plausible dissension between the Sadducees, on the one hand, and the Pharisees and Essenes, on the other, as portrayed by Josephus, if his record on this issue is at all credible. It seems implausible to suggest that the Sadducees, who adhered strictly to the literal scriptural text, would have endorsed an ideology that advocated that "they do away with fate" and "all things lie within our power," as Broshi declares,[21] basing his assertion solely on his interpretation of Josephus' writing. If some authenticity

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chosen Abraham "so that he will direct his children and his household after him to keep the way of the Lord by doing righteousness and justice." Exod 22:22 (22:23 in KJV) declares that God will personally listen to the cry of the oppressed and punish the oppressors: "If you will oppress [a widow or an orphan] and they cry out to me, I will certainly hear their **cry**." Micah 6:8 condenses God's requests of humankind: "And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God."

[18] Broshi, "Predestination," 236.

[19] Berlinerblau, "Free Will," 768, quotes from Émile Durkheim's *Homo Duplex*: "not all contradictions in the Hebrew Bible must be/can be resolved."

[20] See above the conjecture that historical predestination may be considered God's foreknowledge rather than determinism.

[21] Broshi, "Predestination," 236.

is conceded to Josephus' account of the three groups,[22] one might envisage that the Sadducees believed in divine historical predestination in its absolute sense, that is, without a divine scheme, but did not endorse such predestination as applying to the individual as well. At any rate, Josephus does not clarify whether his portrayal of the different doctrines of the three schools relates to historical or individual Providence, and whether the Sadducees denied a divine scheme of the world's history altogether or believed that the behavior of the nations induces God's actions. The lack of precision in Josephus' description demonstrates the futility of attempting to deduce from it subtle theological doctrines. The rabbis, who believed in individual providence, found a way to reconcile it with the explicit scriptural theory of free will.[23] It is reasonable to assume, thanks to the unequivocal and ample scriptural doctrine of free will and the potential for repentance, that Qumran scholars envisaged a similar solution, which was misrepresented or imprecisely portrayed by Josephus, similar to his obviously imperfect description of the Sadducees' doctrine.

7.3. Rebuttal of Predeterminism in Scripture

7.3.1. *Scripture's Explicit Opposition to Dual Predestination*

Though it seems to be *opinio communis* that Scripture refutes Dual Predestination, I will quote some scriptural passages to substantiate the theory and its categorical and unequivocal prominence. The numerous scriptural admonitions forecasting harsh punishment for transgressions and absolution at repentance usually refer to corporate Israel—not to individuals, the subject of our inquiry. I have chosen a few verses that do seem to relate to individuals. The most striking occurs in Ezek 18:20–27; for the sake of brevity, I quote only the conclusion (vv. 26–27): "If a righteous man turns from his righteousness and commits sin, he will die for it; because of the sin he has committed he will die. But if a wicked man turns away from the wickedness he has committed and does what is just and right, he will save his life." We read in Deut 29:18–

[22] On Josephus' reliability and the discrepancies between his portrayal of the Essenes and Qumran writings, see Todd S. Beall, *Josephus' Description of the Essenes Illustrated by the Dead Sea Scrolls* (Cambridge: Cambridge University Press, 1988) 262–264.

[23] We read in *b. Ber.* 33b, "Everything is pre-established in heaven, except the fear of God [obeying the divine commands]."

19 (19–20 in KJV), "When a man thinks, 'I will be safe, even though I persist in going my own way [sinning],' [in this case] the Lord will never be willing to forgive him [implying that generally He does]." In Isa 55:7 we read, "Let the wicked forsake his way and the evil man his thoughts. Let him turn to the Lord, and He will have mercy on him, and to our God, for He will freely pardon." We read in Prov 14:14, "The faithless will be fully repaid for their ways, and the good man rewarded for his"; and in 1 Kgs 8:32: "Then hear thou from heaven and do, and judge thy servants, condemning the wicked, to bring his way/behaviour upon him; and justifying the righteous, to give him according to his righteousness." This is the translation of the KJV, which more closely follows the Hebrew text and the LXX than the NIV translation. All these verses demonstrate that a person's condemnation or acquittal, with their consequences, depends on that person's actions, not on predestination. As we have seen, Scripture declares that the righteous can become wicked and the wicked can become righteous; this is evidence of mankind's essential free will, as is explicitly declared in these and other scriptural verses. The Pentateuch and the bulk of the prophetic literature are imbued with exhortations to repentance, definitely promising divine forgiveness and reinstatement of the original chosen relationship with Israel; divine forgiveness is occasionally promised to other nations also.

I think that the core of the scriptural theology is its two supporting columns: "there is no one who does not sin," in 1 Kgs 8:46, seemingly pertinent to Israelites and repeated as relevant universally in Qoh 7:20; and the notion of repentance and forgiveness, as argued above. These two concepts—that a righteous person can sin and a wicked person repent—are utterly opposed to Dual Predestination. Above dicta and the following symbolize divine universal mercy applied to Israelites and Gentiles alike. Deut 4:31, "for the Lord your God is a merciful God," after repentance, is aimed at Israelites, but the divine utterance, "Should I not be concerned about that great city?" (Jonah 4:11) demonstrates God's compassion for Nineveh and its Gentile inhabitants after they repent, manifest in the reversal of His earlier decree to destroy the city and its people (Jonah 3:10). Similarly, the words of Isa 2:2, "In the last days the mountain of the Lord's temple will be established as chief among the mountains; it will be raised above the hills, and all nations will stream to it," relate to Gentile nations. These pronouncements explicitly contradict the concept of Dual Predestination, and it seems to me preposterous to attribute to the Qumran fundamentalists, known for their literal interpretations of the Torah, beliefs so blatantly contradictory to one of its

fundamental doctrines.[24] It is essential, therefore, that we interpret those Qumranic verses that seem to indicate an individual predeterminism[25] in such a way as to conform to Scripture's basic philosophy.

7.3.2. *Lack of Interest in Philosophical Issues—Torah as Paradigm*

Obviously we may encounter some sporadic biblical passages that may indicate divine intervention causing man to fail—for example, in Isa 29:10, "The Lord has brought over you a deep sleep. He has sealed your eyes, he has covered your heads"; and in Exod 7:3, "And I will harden Pharaoh's heart"—but no one would impute a general doctrine of Dual Predestination to Scripture. This apparent contradiction is one element of a number of similar occurrences in Scripture in which a statement may lead to deductions that are contrary to clearly defined and unambiguous biblical theories. The rabbis, like theologians of other religions, devised answers to forthcoming challenges and offered solutions that may not seem adequate to freethinkers but which satisfied the community of devotees.[26] It is an *opinio communis* that, according to Scripture, God is omniscient, but nonetheless we read in Gen 6:5–6, "And the Lord saw that the wickedness of man was great in the earth"; "And it repented the Lord that He had made man on the earth, and it grieved Him at His heart." The rabbis, who were well aware, in this instance as in many others, that these verses blatantly conflict with the maxim of God's omniscience, chose to present this as a question by a heretic, to which they proffered an answer.[27] The apparent contradiction did not incite general doubt about God's omniscience.

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[24] Grossman, *Reading*, 21, writes, "The role of a reader's community has been understood as a significant element in shaping the readings of an individual audience."

[25] Although most of the scriptural dicta against predeterminism and in support of the potential for repentance and forgiveness relate to the Israelites, I believe that, in essence, the same applies universally, as substantiated by citations (e.g., the case of Nineveh in Jonah). The scarcity of such passages relative to those promising divine forgiveness to the Israelites is due to the fact that Scripture is addressed predominantly, if not exclusively, to the Israelites, and to God's foreknowledge of the Gentiles' predominant bad behavior—not to their predetermined damnation. At any rate, since my thesis against Determinism in Qumran relates to the individual, I will limit my deliberations to this particular topic.

[26] We read in *b. Mak.* 10b: "[Providence] guides a person in way he wants to go."

[27] We read in *Gen. Rab. Parsha* 27, "A heretic asked Rabbi Joshua ben Karcha and said to him: Don't you say that God knows the future? He said yes. He asked him, [how do you explain] what is written: it grieved [God's] heart [for having created humans. Didn't He know how they will behave?]"

There is no evidence that the fundamentalist Qumranites, in contrast to the rabbis, even asked such questions; but if they had, it is plausible to assume that they would have devised a solution similar to that of the rabbis.[28] When dilemmas emerged—as, for example, the righteous falling in battle in 1QM XVI:11,[29] contrary to expectations—they perceived it as intended by God, according to his mysteries;[30] there was no attempt to search for complex theological solutions to explain such events, which, according to their beliefs and expectations, should not occur.[31] It is therefore highly implausible that they would have chosen to construe a theory in utter conflict with Scripture, negating its predominant message of repentance and forgiveness. In contrast, we observe that Qumran quotes and actualizes in its doctrinal writings the biblical verses from the Renewed Covenant in Deut 28–30. This pericope, the pinnacle of the biblical theology of divine omnipotence and omniscience, explicitly and unequivocally emphasizes Israel's freedom to sin and to repent, thus regaining God's forgiveness and blessings.[32] In their ample literature, imbued with superlative belief in God and Torah, we do not encounter any suggestion of possible theological doubt, nor any discussion about finding solutions to contradictions in the perceived divine plan. The Qumranites appear to have accepted the biblical doctrines

[28] J.P.M. vander Ploeg, *The Excavations at Qumran: A Survey of the Judean Brotherhood and Its Ideas* (trans. Kevin Smyth; London: Longmans, Green, 1959) 114, writes, "The sincere believer does not even try to [understand the divine mode of action], and bows his head before the divine mystery."

[29] We read there, "When Belial girds himself to assist the Sons of Darkness, and the slain of the infantry start to fall in accordance with God's mysteries." See succeeding note.

[30] This is the common translation of the term רז, influenced, in my opinion, by extraneous predispositions. See p. 259, n. 131, on the correct translation/interpretation of the term רז.

[31] Similar evidence of such attitudes is stressed by Armin Lange, "Wisdom and Predestination in the Dead Sea Scrolls," *DSD* 2 (1995): 340–354 at 354, who writes that when "the Essene expectations were disappointed by the reality," they explained it "by declaring these things to be part of a divine order of the world."

[32] We read in 4Q397 (4QMMT-d) IV:12–15, "And further it is written that [you shall stray] from the path and evil will encounter [you]. And it is writ[ten: and it shall happen]. [When a]ll [these] thing[s shall befall you at the e]nd of d[ay]s, the bles[sing and] the curse [then you shall take it to] your [heart] and will turn [to him with al]l your heart and with [al]l [your] soul at the end [of time]. [And it is written in the book] of Moses and in the b[ooks of the prophet]s, that there will come."

without investigating their seeming contradictions. Philo pinpointed the Essenes' disregard of the logical aspect of philosophy.[33] Their literature abounds with devotional reflections and behavioral admonitions of vast range and character, but there is no trace of any attempt to resolve theological inconsistencies in Scripture. In my study of the Two Spirits Discourse (see Chapter 6), the basis of scholarly speculations of dualism and its associated predestination, I have shown that the author did not attempt to contrive a coherent theology but simply tried to answer a far simpler question: How is it that one who comprehends God and His precepts continues to sin? The scholars of Qumran were not concerned that their theory might eventually be interpreted, after 2000 years, in a manner contrary to their fundamental beliefs. Similarly, the redactors of the Torah were not concerned about reconciling the above-cited inconsistency in Gen 6:5–6 or other contradictions. We must take a similar approach to those of their texts currently considered as providing evidence of Dual Predestination; they had entirely different motives for their writings, as I shall argue, and were not concerned about what others might deduce from them. The Torah did not present a coherent, consistent theology, and neither did Qumran. Contemporary deductions about some of their writings ought not to be used as evidence for theories blatantly opposed to cardinal principles prevalent in Scripture.

7.3.3. *Alleged External Textual Grounds for Predestination in Qumran—Josephus*

Since my primary motivation for this study was Broshi's recent statement, I shall debate mainly his arguments, which predominantly correspond to those of other scholars propagating the theory of predestination in Qumran. In addition to the three scrolls mentioned in the Introduction to this chapter, Broshi quotes Josephus' statements in *Ant.* 13.171–173 and 18.18 and adds the *Habakkuk Commentary* as evidence for his conclusions.[34] Josephus' statement, however, does not represent a reliable

[33] See citation on p. 228, n. 3.

[34] Broshi, "Predestination," 236, quotes Josephus: "the Essenes are of the opinion that 'fate is the ruler of all things, and nothing can happen to people except it be according to its decree.'"

source,[35] particularly with respect to delicate details of philosophical topics,[36] written for Hellenes.[37] This is so even if we distinguish between Essenes and Qumranites, a subject that is still debated. As I have argued above, it is ludicrous to assume that the Sadducees negated divine historical predestination in its absolute sense; just as Josephus' assertion about the Sadducees cannot be accepted exactly as described, without some modification and adjustment, his record of the Essene theology must also be treated with skepticism. His aim of exalting the Essenes is evident from the style of their portrayal in his writings and by the expanded body of

[35] Shaye J.D. Cohen, *Josephus in Galilee and Rome: His Vita and Development as a Historian* (Leiden: Brill, 1979), 232–233, states that Josephus "normally revises the language of his source." Though he boasts of his extraordinary proficiency in the knowledge of the Law, inducing high priests and principal men of the city to come to him frequently for his opinion on the accurate meaning of the Law, and vaunts his extensive studies of the theories of all three philosophies, specifically his three years' education from Banus, an Essene (*Life* 12), he plausibly derived his portrayal of the Essenes from written sources. Cohen further states that with the revision of the source language, "details are added, omitted or changed, not always with reason." Josephus followed "standard Greek practice ... to embellish the narrative, to create something new." Cohen speaks about Josephus' "inveterate sloppiness" and notes that "the narrative is frequently confused, obscure and contradictory. Legal and technical terms are used very loosely." Magen Broshi, "The Credibility of Josephus," in *Josephus Flavius*, *Historian of Eretz-Israel in the Hellenistic-Roman Period* (Hebrew; ed. Uriel Rappaport; Jerusalem: Yad Izhak ben Zvi, 1982), 21–27 at 27, quoting Cohen, states in his concluding sentences that although Josephus was not always correct, he is nevertheless reliable in a number of reports. See also W.F. Albright, "Recent Works on the Topography and Archeology of Jerusalem," *JQR* 22 (1931–1932): 409–416 at 411, who notes "how inaccurate Josephus generally was in details." Louis H. Feldman, Introduction to *Josephus, the Bible and History* (ed. L. Feldman and G. Hata; Detroit, MI: Wayne State University Press, 1989), 17, writes that Josephus "has been reviled as a careless, self-serving, lying propagandist." See below for blatant contradictions among Josephus' various portrayals of the groups' doctrines, their conduct, and the Qumran laws.

[36] Vander Ploeg, *Excavations*, 117, writes, "When Josephus speaks of fatalism, his language is inexact as when for instance he speaks of Moses writing hexameters."

[37] Merrill, *Qumran and Predestination*, 13, in his extensive study of the Thanksgiving Hymns, states that the fatalism Josephus alleged in Qumran "was not so much fatalism as apparent and that the view of Josephus was coloured by a Hellenist bias, intentional or not." Ken Penner, "The Fate of Josephus' *Antiquitates Judaicae* 13:171–173: Ancient Judean Philosophy in Context," *Journal of Biblical Studies* 1, 4 (2001), states that Josephus was writing for a Hellenistic audience, who contrasted the Stoics, Epicureans, and Pythagoreans on this issue, and therefore described the Jewish sects in language they could understand.

writing he dedicates to them relative to the other two sects,[38] whose historical significance was evidently more comprehensive than that of the Essenes.

In addition to the general question of Josephus' reliability, a number of specific problems related to his portrayal of the sects/philosophies emerge. For example, in *Wars* II:137–139 he writes that a new member is allowed to share the purer kind of holy water after one year's probation, but in 1QS VI:14–15 we read that the new member can touch dry food after one year but liquids only after two years. Further, according to Josephus, the new member is fully integrated into the Community after three years' probation, whereas in 1QS VI:18 this period extends for only two years. In *Wars* II:143–144 he states that the Community accepts an expelled sinner "at the last stage of exhaustion," and in II:145 that a Court of 100 men was required for sentencing; there are no such stipulations in 1QS and its parallels, where one would expect them, nor in other Qumran writings. In *Wars* II:121 Josephus writes, "Marriage they disdain, but they adopt other men's children," adding his explanation that "they do not indeed, on principle, condemn wedlock, ... but they wish to protect themselves against woman's wantonness, being persuaded that none of the sex keeps her plighted troth to one man." Josephus' portrayal of the Essenes' derogatory preconceptions about women's adulterous character has no textual support in the known texts of the Qumran Library. Usually Qumran texts accuse men of libidinousness; we do not encounter reproaches against women for their lust or seductions of men.

The Seductress portrayed in 4Q184 (Wiles of the Wicked Woman) does not contradict the above assertion. J.M. Allegro reconstructs the first word of the fragment as ה[הזונ] "prostitute," and thus the text would relate to the specific behavior of a common prostitute, and does not denigrate women in general. However, Baumgarten criticizes this reconstruction and interprets the lemma allegorically, as associated with the netherworld;[39] Carmignac's allegorical interpretation relates it to the false teachings of the rival sects.[40] In either case, there is no indication that the text is evidence of a derogatory attitude towards women in general. Moreover, in *Wars* II:161, in his description of the order of Essenes that do

[38] In his main description of the sects, in *Wars II*:119–166, the portrayal of the Essenes occupies forty-two verses, whereas the remaining sects are described in a total of only six verses.

[39] Joseph M. Baumgarten, "On the Nature of the Seductress in 4Q184," *RevQ* 15, 57 / 58 (1991): 133–143.

[40] Jean Carmignac, "Poème allégorique sur la secte rivale," *RevQ* 5 (1965): 361–374.

marry, Josephus adds some strange, undefined details of their particular customs: "They give their wives, however, a three years' probation, and only marry them after they have by three periods of purification given proof of fecundity." The instructions in1QSa I:9–10 relating to marriage among Qumran members, though plausibly referring to the above group which marries, do not mention any such requirements. These inconsistent and vague assertions unequivocally contradict Qumran's authentic writings, indicating the unreliability of Josephus, particularly with respect to philosophical issues whose enlightened conveyance requires extensive exposition. Josephus' narrative cannot serve as evidence for imputing to Qumran an ideology that utterly contradicts compelling biblical principles.

Finally, we should rely on the texts written by the members of the Community themselves, rather than on portrayals by outsiders. Though Josephus asserts that he studied with Banus, an Essene, for three years,[41] he is still an outsider; and, besides, his statement seems to me unreliable.[42] Boccaccini quotes the assertion of Iulius Solinus, in *Collectanea Rerum Memorabilium* (third–fourth century CE), about the Essenes' "having been destined for this way of life by divine providence" as evidence for the Essenes' doctrine of individual predestination.[43] This phrase, quoted from M. Stern,[44] does not indicate individual predestination but, rather, a general explanation to help a Hellenistic public to understand the strange phenomenon that a group of people "seceded from the customs of all other nations." Solinus does not declare that the Essenes believed in

[41] Josephus, *Life* 12.

[42] Josephus does not explicitly state that he lived in an Essene community, only that he submitted himself to hard training and laborious exercises and passed through the three courses. In his description in *Wars* II:138–142, he does not mention the passing of three courses but a trial period of three years; instead, he writes of having lived with Banus, whom he does not identify as an Essene, for three years. Moreover, his chronology does not seem reliable. In *Life* 12 he states that after having lived with Banus for three years he was nineteen years old; this would mean that he began living with Banus at the age of sixteen. Before that, he had hard training and passed three courses, apparently in a Qumran community, which he found unsatisfactory, and this must have taken at least one year. In *Life* 9, however, he states that he was sixteen when he determined to gain experience in all three sects, which he did first with the Pharisees, then with the Sadducees, and last with the Essenes; hence, he accomplished in three years all his studies with all the sects, passed courses, and lived with Banus. Yet he states that he stayed with Banus for three years. We thus observe his unreliability in such trivial issues, which he could easily have avoided by using minimal caution.

[43] Boccaccini, *Beyond*, 170.

[44] Menahem Stern, *Greek and Latin Authors on Jews and Judaism*, vol. 2 (Jerusalem: Israel Academy of Sciences and Humanities, 1980), 420.

predestination; rather, he states his own opinion that divine providence set them up to behave in such odd way. At most, this could be perceived as a type of historical predestination. Stern states that Solinus took this narrative from Pliny the Elder, who portrays the Essenes as a "solitary tribe, beyond all the other tribes of the world," without mentioning the motive of their particular character. Moreover, the accuracy of his narrative is very dubious. Writing in the fourth century CE, for example, he writes, using the present tense, that the interior of Judea, which gazes at the West, is occupied by the Essenes—about 200 years after the Essenes' disappearance. His source is Pliny, who writes, "on the West side of the dead Sea, out of range of the noxious exhalations of the coast, is the solitary tribe of the Essenes";[45] but Solinus has altered Pliny's meaning considerably, and this in relating a simple fact, not a subtle philosophical issue such as predestination. He also maintains that the Essenes exist "through innumerable ages, many people flock [to join them] from every nation."[46] Solinus' description of Judaea contains similar flaws, such as the assertion that Joppe is "the most ancient city of all the world, in as much as it had been founded before the Flood."[47] Stern, citing Solinus' "reference to the destruction of Jericho by Artaxerxes, states that Solinus gives some references and details that cannot be traced back to his principal source."[48] All these evidently flawed, not to say false, facts in Solinus' description seem not to impede Boccaccini's perceiving it as satisfactory evidence for his "predetermined" theory of predeterminism at Qumran.

7.3.4. *Alleged Internal Textual Grounds for Predestination in Qumran. The Two Spirits Discourse—1QS (Rule of the Community) III:13–IV:26*

Broshi writes that "the doctrine of dual predestination looms high in the other three original sectarian scrolls" (i.e., those other than 1QS III:15–16).[49] He interprets the undefined phrase ואין להשנות "nothing can be changed [that God has established]" as including the divine decision before a person's birth as to whether he will be righteous or wicked,

[45] Ibid., vol. 1 (1974), 472.
[46] Ibid., 2:420–421.
[47] Ibid., 2:419.
[48] Ibid., 2:416.
[49] Broshi, "Predestination," 237.

a destiny from which there is no escape.[50] However, there is nothing compelling us to perceive it this way; the explicit pronouncement of man's two spirits, which continually struggle within him to gain influence over his inclinations—thus denoting free will and choice—follows the statement that God's plans cannot be changed and rescinds such an interpretation.[51] It is significant that the statement that nothing can be changed is written in plural mode, referring to all humankind כול בני איש, as we read in the antecedent verse 13, implying a historical predestination (such as God's promises to Abraham or the punishment of Pharaoh). The pronouncement of the two spirits, in contrast, appears in singular mode and is restricted to the individual's inclinations. These "two spirits" are placed in equal measure in humans, and they remain balanced in their power until the end of days, as is explicitly confirmed in the passage "for God has sorted them into equal parts until the appointed end" (1QS IV:16). This is Martínez' translation, but since, from the context, it unequivocally refers to the two spirits, Vermes translates it as "For God has established the two spirits in equal measure until the determined end."[52] To substantiate his Dual Predestination theory, Broshi ignores this significant pronouncement and relies on the bizarre

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[50] There is an apparent logical contradiction in his comments on the above lemma; he writes, "the world is governed by the principle of dual predestination—the Lord has preordained everything in it and let the 'two spirits,' the 'Spirit of Truth' and the 'Spirit of Falsehood' conduct its affairs." If everything is predestined by God, then what is the purpose and function of the Two Spirits? If everything is already fixed ahead, what affairs do they have to conduct?

[51] The Hebrew term להכשיל in *hiphil* in 1QS III:24, describing the assignment of the evil spirit, must be understood like the term מכשל in Lev 19:14; it suggests that even the righteous are seduced by means of enticements, not by forcing them to sin against their will. We observe this circumstance explicitly in 4Q545 (Visions of Amram) frg. I:12. The spirits approach Amram saying, "Which of us do you choose to be ruled?" Though the end is missing, it is evident that Amram had free choice and did not choose Melki-resha. In his zeal to demonstrate cosmic dualism in Qumran, Marc Philolenko, "La Doctrine qumranienne des deux esprits," *Apocalyptique iranienne et dualisme qumranien* (Paris, 1995) 163–211 at 167, states, "Les deux anges ont reçu pouvoir sur tous les fils d'homme" (the two angels have received power over all mankind), ignoring the fact that Amram was asked by them which he would choose and granting more significance to their unfounded allegation: "We rule over all the sons of Adam" (v. 11).

[52] It is remarkable how scholars, driven by a bias in favour of foreign influence, sometimes seem to ignore scriptural pronouncements and inaccurately interpret Qumran texts. Wernberg-Møller, for example, in *Manual*, 27, written before his "conversion," interpreted the expression בד בבד שמן אל in 1QS IV:25 as "God has set them apart," since the correct translation, "God appointed them [the good and the evil] in equal parts," like the unequivocal translation of the expression בד בבד in Exod 30:34, would contradict the theory of predetermination associated with dualism. However, in a later study, liberated

Astrological text (of obscure origin) declaring that different shares of goodness and evil are irreversibly implanted in humans at their birth.[53] However, this conjecture contains an internal logical contradiction with the Two Spirits discourse: If some humans are condemned to be wicked, lacking faculty ever to repent and change, what would be the divine rationale for implanting in them some righteous spirit or inclination? Further, it is only reasonable to assume that Dual Predestination applies equally to the righteous: If they are chosen to be perpetually righteous, there would be no reason to implant in them bad inclinations. Moreover, we cannot assume that, thanks to their election, they would be unable to sin, since it is obvious from CD-A III:16–18 and 4Q 270 6 ii:5–6 that the members of the Community sinned and were forgiven after repentance.[54] Finally, it seems to me inconceivable that the highly intellectual Qumran scholars would have created a theology that contradicts the cardinal biblical doctrine of repentance and forgiveness on the foundation of such questionable documents as the Horoscopic texts.

7.3.5. *Divine Omniscience and Human Free Will*

Postulating that Qumran acknowledged personal providence, as the rabbis did, we should presume that they did not ask themselves how human free will can co-exist with God's omniscience/foreknowledge.[55] The fact that Scripture presents an explicit model of harmony between the two apparent contradictory doctrines had definitely resolved their contingent doubt. We read in Deut 31:16: "you are about to sleep with your fathers; and this people will rise up, and go astray after the foreign gods." This verse absolutely declares divine omniscience. In contrast, the antecedent admonitions with threats demonstrate explicitly and unequivocally the

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from his compulsion to promote predeterminism in Qumran, he criticizes such practices by "dualistic" scholars, stating that "the wish is here father to the thought." Wernberg-Møller, "Reconsideration," 418.

[53] 4Q186 and 4Q561 are not sectarian texts, and the connection between them is highly questionable. Matthias Albani, "Horoscopes in the Qumran Scrolls," in *The Dead Sea Scrolls after Fifty Years*, vol. 1 (ed. P.W. Flint and J.C. VanderKam; Leiden: Brill, 1998), 279–330 at 292, writes that "clues for an astrological character of the physiognomic description in 4Q561 are not to be found" and "that this text belongs to the genre of divinatory physiognomic literature."

[54] Marx, "Prédestination," 170, writes, "L'élection ne supprime donc pas la responsabilité de l'individu et sa liberté" (election does not rescind the individual's responsibility and freedom).

[55] I do not perceive any contradiction between the Two Spirits Discourse and free will; it is, rather, God's omniscience that seems to conflict with human free will.

free will of the people to choose between alternatives. They start in Deut 28:15 with the conditional conjunction והיה אם "if" and in Deut 30:1 with והיה כי "when," and attest explicitly the availability of choice. We read in Deut 30:15 "See, I set before you today life and prosperity, death and destruction." Verse 19 repeats the proposal of choice, adding the advice to choose the right path: "I have set before you life and death, blessings and curses. Now choose life." We have here an incontestable biblical model of the co-existence of divine omniscience together with freedom of choice. If Scripture demonstrates this, why do scholars impute to Qumran literature a seditious theory that unreservedly conflicts with the most crucial scriptural doctrine of repentance and utter forgiveness? Possibly, as Neusner declares in a similar context, because it fits Protestant Christian dogma.[56]

We observe a similar co-existence of divine omniscience and human free will in CD II:4–8: "He is very patient and forgiving, covering the sin of those who repent of wrongdoing. But Strength, Might, and great Wrath in the flames of fire with all the angels of destruction shall come against those turning aside from the path and abominating the precept, until they are without remnant or survivor, for God had not chosen them from ancient eternity. Before they were created, He knew what they would do." Verse 7, "for God has not chosen them," may seem to hinting at a predestination to wickedness, but we must consider the preceding and following text in evaluating this phrase. The statement that God forgives the sin of those who repent is an explicit assertion of human free will, the antithesis of predestination. The author does not identify which are the repentant sinners, the chosen righteous who sinned or the wicked who repented. In either case, these verses demonstrate the free will of the righteous, who sin, and the wicked, who repent and are forgiven. Further, the expressions "those turning aside from the [right] path and abominating the precept [the divine Law]"[57] imply that the

[56] J. Neusner, "Introduction," in *Judaism in Late Antiquity*, Part 4 (ed. A.J. Avery-Peck and J. Neusner; Leiden: Brill, 2000), 7–31 at 25 and 27, writes, "Once more, issues of Protestant theological concern govern category-formation for a book on Judaism," and notes that "Sanders imposes on his evidence a Liberal Protestant theological agendum, defending his particular Judaism from Protestant condemnation."

[57] I have chosen here Martinez' translation, since it corresponds to the unequivocal meaning of Isa 65:2, the probable source of the CD text in which the terms סרר and דרך are associated. We read there, "All day long I have held out my hands to an obstinate people, who walk in ways not good pursuing their own imaginations." Rashi and other traditional commentators interpret the term סרר and its derivatives as "departing/corrupting from/the right way." The LXX equally translates the term in some instances by the term

people referred to were righteous and suddenly went astray of their own will. Equally, the admonition that those who chose the wrong way, "having walked in the stubbornness of their heart" (vv. 17–18), were punished demonstrates again the free will of the sinners. Verses 14–16, "to see and to understand the deeds of God, choosing what pleases him and hating what He rejects, living perfectly in all His ways, not turning away through thoughts caused by the sinful urge and lecherous eyes," imply again the free will of the authors' listeners/readers, whom he is admonishing to choose the right way. The accomplishment of this choice is confirmed in 1QH^{a} VIII:19–20: "I myself have chosen to purify my hands in accordance with Your wil[l.] The soul of Your servant a[bho]rs every work of injustice."

Moreover, the divine attribute of foreknowledge—"He knew what they would do" before their birth—is emphasized in vv. 7–8, not God's choice of who will be righteous and who will be wicked. This demonstrates the feasible co-existence of divine foreknowledge with freedom of choice. Given the overwhelming emphasis on the free will of both the wicked and the righteous, we must interpret differently the apparently contrasting phrase "for God had not chosen them from ancient eternity" in v. 7, which may seem to imply predestination and is so perceived by scholars. J.J. Collins, meditating on the freedom of interpretation of scriptural texts by Sir and the Qumran authors, states that "all interpretation involves a correlation of what we find in the text with what we hold as true from other sources."[58] In accordance with this maxim, with which I agree in principle, I suggest perceiving the negative mode of the pronouncement "for God had not chosen them [the sinners, their opponents]" in a positive mode, as indicating the author's intent to emphasize the privilege of his righteous listeners/readers, whom God has chosen. As demonstrated on other occasions, we should assume that the author

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παραβαίνω "transgress," but in Isa 30:1 as ἀποστατέω "to depart from" (the origin of *apostate*, definitely abandoning the previous faith) and in Hosea 4:16 as παροιστρόω "to go mad," implying a change from the previous normal condition.

[58] Collins, "Interpretation," 42. Collins uses this maxim to explain the contradiction between the Two Spirits discourse of 1QS, according to his interpretation, and the biblical text. I dispute his interpretation of the 1QS text for precisely the same reason: Qumran scholars knew the truth from another source, from Scripture—that there is only one God, no Persian Cosmic Dualism nor Dual Predestination, since God offers everyone salvation by repentance—and therefore we must interpret this apparent contradiction differently. Similarly, I use Collins' maxim for the interpretation of other apparently incompatible Qumranic pronouncements in the context of their adherence to Scripture and their ample declarations conforming to it.

was not aware of a possible inconsistency between his utterances,[59] which simply demonstrates the lack of interest in philosophical issues and in the need to create a coherent theology.[60] Thus we should understand 1QS III:15: "All that is now and ever shall be originates with the God of knowledge." This verse seems to express the doctrine of God's foreknowledge of whatever will happen in future, but does not conflict with the ingrained belief of human free will, unequivocally manifest in many other Qumranic texts. While I agree with Collins' maxim, as noted above, to the effect that everyone is free to interpret a text as he understands it, I hasten to dispute his affirmation that CD II:7–8 confirm predeterminism and damnation from birth, thus conflicting with Sir's denial that sin comes from God.[61] Qumran's pronouncement and Sir's declaration concern different entities: Qumran asserts that God created everything, including the concept of evil, while Sir refers to a person's performance of a concrete act of sin by transgressing the divine laws, that is, by his own choice to do evil.

I fully agree with James Charlesworth's statement that "the ideas found in the Dead Sea Scrolls may have influenced the thinking of many first century Jews, including John the Baptizer, Jesus, Paul and others."[62] I disagree, however, with the attempt to impose on Qumran and other Jewish writings of that period these and other ideologies later developed by Christian Apostles and Church Fathers. At this juncture, though I dispute Collins' assertions, I consider it my ethical obligation to express my profound appreciation for his fairness and intellectual decency in declaring, "Modern theorists have repeatedly emphasized that interpretation is never a neutral matter, that it always depends on the presuppositions

[59] We observe a similar attitude in Sir's wisdom literature. In 15:11–20 he acknowledges unequivocally man's free will to choose the good or evil inclination bestowed on him by God. In 33:10–13, by contrast, he declares that God molds man as He pleases, that He blesses some, making them holy, and others He curses and humbles and removes from their place; this utterance seems to acknowledge individual predestination. The latter pronouncement is remarkably similar to the text of 1QH[a] VII:17–21 (see citation on p. 333, n. 68), which, however, is followed by vv. 21–23, declaring that the wicked will be punished because they chose to do what God hates—apparently contradicting what could be inferred from the antecedent verses. This demonstrates the flaws of attempts to deduce philosophical theories from a single text without considering it in the much broader context of its setting.

[60] See p. 122, n. 71, on Maimonides' attempted to reconcile free will with divine foreknowledge.

[61] Collins, "Interpretation," 39–40.

[62] James H. Charlesworth, Preface to *The Bible and the Dead Sea Scrolls*, vol. 1 (ed. James H. Charlesworth; Waco, TX: Baylor University Press, 2006), xxvii.

we bring to the text."[63] I believe, however, that since we are discussing the writings of a Jewish group, unequivocally Torah centered, the Jewish approach and perspective, shaped by a critical study of rabbinic and post-rabbinic Jewish literature, is better suited to interpret these writings as corresponding to the intent of the original authors and their audience.

Qumran scholars may have relied on Isa 55:8 to justify shunning philosophical interrogations of scriptural utterances and events beyond their simple perception. We read there, "For My thoughts are not your thoughts, neither are your ways My ways, says the Lord," a maxim which relates explicitly to the problem of forgiveness of sinners after repentance in the antecedent verse 7.[64] This maxim[65] and the Job narrative could have been the foundation of a belief that precludes delving into divine ways.[66] Alternatively, a remote contingency, they would still find adequate, orthodox solutions, as is the case for the rabbis. There is no justifiable motive to stigmatize Qumran as propagating an unconventional theory against the core of Scriptural exhortations.

7.3.6. *The Thanksgiving Scroll, 1QH^a Hodayot*

Hodayot is the conventional scholarly evidence, and Broshi's second evidence, for Dual Predestination. Strangely, Broshi quotes as support verses V:21 and IX:19–20, which do not hint at individual Dual Predestination—they are in plural mode and refer to historical predestination of humanity.[67] Equally strangely, he declines to quote XII:38 or VII:17–18 and 20, which, in my opinion, constitute the foremost evidence for appar-

[63] Collins, "Interpretation," 42–43.

[64] We read there, "Let the wicked forsake his way, and the man of iniquity his thoughts; and let him return unto the Lord, and He will have compassion upon him, and to our God, for He will abundantly pardon." The traditional commentator *Mezudat David* explicitly connects these verses, declaring that God does not act like men: he forgives the sins of the repentant, and unlike men he forgives also those who have rebelled against him.

[65] Maimonides, in *Hil. Teshuva* 5:5, utilizes the identical verse in his attempt to reconcile between divine omniscience and man's free will. He writes: "We don't have the faculty to understand how The Holy, be He blessed knows what all creatures will do, but we know unequivocally that the deeds of a person are in his capability and The Holy, be He blessed does not incite him and does not impose on him to do something."

[66] God censures Eliphaz the Temanite in Job 42:7 "for you have not spoken of Me what is right" in his deceiving attempt to explain the divine acts.

[67] We read in V:21, "a structure of dust fashioned with water, his counsel is the iniquity of sin, shame of dishonor and source of impurity"; and in IX:19–20, "And in the wisdom of your knowledge you have determined their course before they came to exist. And in accordance with your will everything happens, and without you nothing occurs."

ent Dual Predestination in the Qumran writings.[68] It seems to me that Broshi himself indicates the weakness of his inconclusive substantiation when he writes, "the author thanks God for saving him, a salvation due to election, i.e., predestinatarian salvation. The antithesis of God's glory versus man's lowliness is repeated time and again."[69] In my opinion, this conclusion stresses the central theme of the hymn: for everything, one must thank God.[70] In his ecstasy, to increase the chasm between God and humanity, the author negates any competence on the part of man; his good behavior, therefore, must also be dependent on God alone, and it is attained by his election, not by his will or effort, since he represents the ultimate nothingness. The author's goal in composing the hymn was not to declare a theology of Dual Predestination but to portray divine greatness as oppIosed to humanity's worthlessness, because of which it is his duty to thank God for having elected him. Thus, these pronouncements in the Qumran hymns do not contradict the abundant opposing dicta in other writings.

We encounter a similar apparent contradiction in the writing of the philosopher Ben Sira. In 33:10–13 he writes that humans are vessels of clay, shaped by God in different ways, like clay in the hands of the potter; some are blessed and exalted, and some are cursed and brought low. This assertion expresses the same idea as 1QH[a] V:20–23: "He is but an edifice of dust, kneaded with water, [ ] his foundation is obscene shame [ ] and a perverted spirit ruled him. *vacat* If he acts wickedly, he will become a sign for eternity and a sign to the generation[s, to all] flesh. Only by Your goodness shall a man be justified." Scholars have interpreted this passage as implying Dual Predestination, and its similarity to Sir's above-mentioned statement has induced them to interpret Sir, likewise, as embracing the idea of Dual Predestination. Yet in 15:14–15 we read his explicit assertion to the contrary: "God created humankind in the beginning and placed him in the power of his inclination. If you choose,

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[68] We read in XII:38, "For you created the just and the wicked"; in VII:17–18, "You alone have created the just man, and from the womb you determined him for the period of approval to keep your covenant"; and in VII:20, "But the wicked you have created for the time of your wrath, from the womb you have predestined them for the day of slaughter."

[69] Broshi, "Predestination," 237.

[70] Deut 8 is a model for Israelites to thank God for everything He has done for them and avert the impiety of thinking, "My power and the strength of my hands have produced this wealth for me" (v. 17). On this issue see also Marx, "Prédestination," 169.

you can keep the commandments, and to act faithfully is a matter of your own choice." There is an apparent contradiction between the two "opposing" pronouncements. We must discern between the two dicta, however. Sir's poetic style in chapter 33 demonstrates that its purpose is to portray God's exaltation in contrast to man's lowliness and that it has no doctrinal missive, whereas his matter-of-fact pronouncement in chapter 15 is a clear and unequivocal affirmation of the doctrine of human free will.[71] We should understand Qumran's theological doctrine in a similar manner: there, too, we observe the same difference in style between the poetic Hodayot hymn and the factual assertion in 1QS IV:16–17: "God has appointed these spirits as equals until the last age."

Qumranic pronouncements about the nothingness of man,[72] the obligation to thank God for everything,[73] the inescapable punishment of those who contravene His will and commands,[74] and the objective of exposing God's absolute might by these accomplishments[75] are themes that appear in Scripture. We encounter a similar attitude in Ps 51:7–17 (5–15 in KJV), from which I will quote the relevant verses: "Surely I was sinful at birth, sinful from the time my mother conceived me. Cleanse me with hyssop, and I will be clean; wash me, and I will be whiter than snow. Hide your face from my sins and blot out all my iniquity. Create in me a pure heart, O God, and renew a steadfast spirit within me. Do not cast me from your presence or take your Holy Spirit from me. Restore to me the joy of your salvation and grant me a willing spirit, to sustain me. Save me from bloodguilt, O God, the God who saves me, and my tongue

[71] Collins, "Interpretation," 40, perceives an inconsistency between Sir's two pronouncements.

[72] We read in Ps 8:5, "What is man, that You are mindful of him? and the son of man, that You think of him?"

[73] See Deut 8:10–18. For the sake of brevity I will quote only the opening and closing verses, 10 and 18: "When you have eaten and are satisfied, praise the Lord your God for the good land he has given you"; and "But remember the Lord your God, for it is he who gives you the ability to produce wealth."

[74] This doctrine is the thread which binds together all of Scripture. I will therefore only refer to the renowned accumulation in Deut 27:11–30:20 of blessings and curses, of reward and severe punishment, for those who obey God's commands and for those who disobey.

[75] I will quote an extract from Exod 10:1–2: "Go to Pharaoh, for I have hardened his heart and the hearts of his officials so that I may perform these miraculous signs of mine among them that you may tell your children and grandchildren how I dealt harshly with the Egyptians and how I performed my signs among them, and that you may know that I am the Lord." Similar ideas appear in many locations, including Jos 4:24, Isa 41:20, Ezek 39:21, and Neh 6:16.

will sing of your righteousness. O Lord, open my lips, and my mouth will declare your praise." Qumran's hymns are inspired by Scripture, whose antagonism to the doctrine of predeterminism is unequivocal.

We observe the same approach as implied in the Thanksgiving Scroll: the author claims to be born sinful, and prays to God to be cleansed by Him from his sins, to receive from God a pure heart, a steadfast spirit, and divine intervention to enable him to praise God. Everything depends on God; the author is incapable even of opening his lips to praise the Deity. Does the author of this song believe in individual determinism at birth, or is he using a common manner of expressing divine omnipotence and generosity in contrast to human degradation and ineptitude? On the basis of the intertextual approach, as I will argue, I believe that the latter interpretation is correct. The verses quoted above demonstrate, at the same time, the possibility of removing his being born as a result of sin, of a sexual act, perceived as indispensible yet immoral.[76] He does not refer to an inborn Primeval Sin resulting from his adamic genealogy, a concept alien to Jewish theology.[77]

I dispute Sacchi's assumption that this attitude of human autonomy and free will, despite their awareness of being "only dust and ashes"—a viewpoint identical to that expressed in the above-cited verses of Hodayot, and prevalent in pre-Hellenistic Judaism—changed in the Hellenistic age.[78] At that point, Sacchi asserts, Judaism lost the sense of human autonomy and ability to "debate with God over what is righteous and what is wicked";[79] in other words, it acknowledged divine predeterminism.[80] He does not discern between divine intervention in history and individual predestination. Moreover, the evidences cited declare

[76] Verse 7, "Surely I was sinful at birth, sinful from the time my mother conceived me," indicates the type of sin envisaged by the author.

[77] Collins, "Interpretation," 30, is surprised "to find that this story [of Adam and Eve] is hardly reflected at all in the rest of the Hebrew Bible, although few [other biblical narratives] have had such a profound influence on the understanding of human nature in the Western world." His amazement seems justified, but he overlooks the fact that the Adam and Eve narrative, so significant in the development of Western civilization and Christian theology with respect to the doctrine of original sin, was definitely not so perceived by the ancient Israelites, who wrote the Bible and post-Scriptural writings. See Ogden Bellis and Kaminsky, *Jews, Christians*, for discussions of Christian-Jewish dialogue about the variant interpretations of the Bible.

[78] Sacchi, *History*, 446–448. Sacchi deduces his statement about Jewish theology before the Hellenistic period from Abraham's demeanour when contesting "God's right to destroy an entire city in order to punish the wicked."

[79] Ibid., 446–447.

[80] Ibid., 328–333.

God's omnipotence, that is, "God can do all things," but do not allege that he uses it willfully, "at the expense of the idea of human freedom."[81] Similarly, his declaration that "God's ability to foresee all things easily turns into predestination" is his interpretation and has no evident textual foundation.[82] At any rate, we observe that the final redactors of Scripture, the rabbis,[83] and the later Jewish philosophers and theologians of the Middle Ages did not perceive any such contradiction between the different biblical books, or devised methods to reconcile them, thus maintaining the axiom of hums free will. As I argued earlier, Qumran scholars would have reached similar conclusions, if indeed they perceived such a discrepancy in the first place, in order to avoid contradicting the indisputable biblical concept that repentance is open to everyone, individuals and peoples, Israelites and Gentiles alike.

Further, the author's statement of being elected (1QH^a VII:17–18) indicates his privilege, but it does not attest that others, the non-elected, were damned to be wicked from before their birth. The sole assertion that apparently indicates it this—"But the wicked You created for [the time of] Your [w]rath, and from the womb you set them apart (1QH^a VII:17)"—is immediately contradicted by the indication of the cause of their predestination to "the day of slaughter." We read in the succeeding vv. 21–23, "For they walked in a path that is not good, they abhorred your covenant, their soul loathed your [ ] and they did not take pleasure in what you commanded, but chose what you hate. You have established all those [who ...] your [...] to carry out great judgments against them before the eyes of all your creatures, so they will be a sign and a portent for eternal generations so that all will know your glory and your great might." These verses demonstrate explicitly that the wicked will be punished because they chose, by their own will, to act against the divine

[81] Sacchi writes at 331, "After Qohelet, the conception of God's omnipotence became more radical, at the expense of the idea of human freedom. God can do all things, God created all things, God is the author of all history."

[82] Ibid., 331.

[83] Sacchi's thesis is mainly concerned with the distinction between the sacred and the profane in Israelite theology; the issue of human autonomy of judgment and confronting God, that is, man's free will, is only a secondary consequence of the distinction between these two domains. According to Sacchi, *History*, 447, the "pharisaic and rabbinic Judaism reacted to this process by returning to a strong insistence on the distinction between the sacred and the profane." Hence, according to him, Qumran, flourishing in the Hellenistic period, would have believed in predestination, the topic of our investigation. It is for this reason that I cite his assertion and dispute it.

rules,[84] not because they were damned to behave wickedly. God predestined that all who act likewise, who choose the bad way, will be severely punished, in order to serve as a sign and premonition of his boundless might to castigate those who disobey him.

These Qumranic pronouncements about the definite punishment of those who infringe the divine will and violate His commands,[85] and God's objective of exposing his absolute might by His actions,[86] concur with themes that appear in Scripture, some frequently and others occasionally. Qumran scholars followed Scripture in their ideology and writings, and would have perceived as preposterous any accusation that they had deviated in the slightest respect from biblical doctrine, whose fundamental maxim is God's unceasing aim and endeavour to induce sinners to repent.[87] God particularly teaches sinners his ways in to further this aim, and this is a hallmark of God's attributes, as we read in Ps 25:8: "Good and upright is the Lord; therefore he instructs sinners in his ways."

The unique Qumran text cited above (1QH[a] VII:13–17), which alleges an ultimate, incontrovertible damnation at birth, is contradicted not only by the succeeding lemma, reviewed above, but by a wide array of similar pronouncements.[88] The term בחר "choose," the unqualified expression of

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[84] The expression וי֯בחרו from the root בחר; this term has a number of uses, such as "to choose, to select, to prefer," but all unquestionably indicate a voluntary action. Merrill, *Qumran and Predestination*, 50, comments on this verse: "Here, if anywhere, there is an attempt to come to grips with a dilemma under discussion" (that is, the apparent inconsistency between divine foreknowledge and human free will).

[85] This doctrine is the thread which binds together all of Scripture. I will therefore only refer to the renowned accumulation in Deut 27:11–30:20 of blessings and curses, of reward and severe punishment, for those who obey God's commands and for those who disobey.

[86] I will quote an extract of Exod 10:1–2: "Go to Pharaoh, for I have hardened his heart and the hearts of his officials so that I may perform these miraculous signs of mine among them 2 that you may tell your children and grandchildren how I dealt harshly with the Egyptians and how I performed my signs among them, and that you may know that I am the Lord." Similar ideas appear in many locations, including Jos 4:24, Isa 41:20, Ezek 39:21, and Neh 6:16.

[87] Vander Ploeg, *Excavations*, 116, writes that the hymnic style of the Hodayot is completely in keeping with the Psalms, leading "to an extremely emphatic preoccupation with man's weakness and his impotence apart from God." Ps 139:14–24 seems to me a paradigm of 1QH[a].

[88] Erasmus, *Opus Epistolarum*, 2:106, complained in 1515 about the interpreters who "choose out a few statements from a long work" and "take a couple of words out of their context," as recorded by Kathy Eden, *Hermeneutics and the Rhetorical Tradition: Chapters in the Ancient Legacy and Its Humanist Reception* (New Haven: Yale University Press, 1997), 1.

a voluntary act, referring to the righteous who choose to behave according to God's commands and to the wicked who choose the opposite, appears in CD II:18, 19, II:15, III:2, 11, VIII:8, and XIX:20; 1QS I:4, IX:17, and X:12; QSb III:25; and 1QH^a VIII:19, XII:17, and XVII:10.[89] The term שרירות לב "[to walk according to the] stubborn heart" (Martínez) or "willful heart" (Wise, which I prefer here), indicating a willful and unconstrained comportment, appears in CD II:17, III:5, XIX:33, and XX:9; QS I:6, II:14, 26, III:3, V:4, VII:19, 24, and IX:10; and QH^a XII:15. The term שוב "repent," in association with thanking God for forgiving and welcoming those who repent, indicates the possibility of repentance for all sinners, so far as to become members of the Qumran Community; this term appears in CD XV:7, 12, XVI:1, 4; QS V:1, 8, 22, VI:15, and X:11. This restricted list includes only these terms in three Qumran cardinal writings (CD, 1QS, and 1QH^a) with respect to our subject; it does not include the numerous Qumran lemmas, composed in other literary styles and using other expressions, that profess exactly the same theory that the righteous have free will to avoid sinning, and the wicked to sin and repent, respectively.

The utterance "you created the just and the wicked" (1QH^a XII:38) is not intended to declare that God predetermines at birth who will be a just and who will be a wicked person, but merely recounts God's greatness and uniqueness as the almighty and absolute creator of everything, the good and the bad. It correlates to Isaiah's declaration in Isa 45:7: "I am the Lord, and no other [apart from me]. I form the light and create darkness, I make peace and create evil; I the Lord create all these things." This utterance constitutes an element of the author's hymn praising God, like the succeeding pronouncement, "for you are the truth and all your deeds are justice" (1QH^a XII:40). These scriptural and Qumranic verses serve also as strong evidence against the allegation of dualism in Qumran, the primary incentive of the scholarly theory of predestination. The above-cited unique lemma of 1QH^a VII:20, alleged to acknowledge man's predestination, cannot serve as evidence for the Dual Predestination theory in Qumran, against the multitude of lemmas, some of which I have cited, that attest the opposite. We must consider it like Ps 58:4, whose apparent assertion of Dual Predestination does

[89] I have not included those verses in which the term refers to God's choice/election. As one may observe, I have also not included twice those verses in which two of the above terms appear together. Hence each term appears more often than may appear from the list.

not define Scripture as proclaiming this theory. We read there, "The wicked are estranged from the womb: they go astray as soon as they be born, speaking lies." This is considered one of the many contradictions in the biblical corpus, and its apparent odd theory of predeterminism is perceived as an anomalous aberration in view of the overwhelming preponderance of explicitly contrary utterances in Scripture. We should perceive the atypical pronouncement of 1QH[a] VII:20 in the same light.

7.3.7. *Interpretation of CD-A II:7*

The statement "For God did not choose them at the beginning of the world" (CD-A II:7), apparently suggesting irrevocable condemnation to utter extinction, being doomed to be irredeemable sinners, cannot be perceived literally because of internal contradictions and the untenable logical consequences of such an inference. The statement in vv. 4–6, "He is very patient and forgiving, covering the sin of those who repent of wrongdoing. But Strength, Might, and great Wrath in the flames of fire ⟨with⟩ all the angels of destruction shall come against all who rebel against the proper way and who despise the law, until they are without remnant," indicates the real spirit of the lemma and the inalterable capacity for repentance and forgiveness, the antithesis of irrevocable predestination. The programmatic and didactic vv. CD II:14–18 expound unequivocally the free will of both the righteous and the wicked to choose their behavior;[90] it constitutes the "Magna Carta" of human free will and the antithesis of Dual Predestination.[91] We read there, "So now, my children, listen to me that I may uncover your eyes to see and to understand the deeds of God, choosing what pleases him and hating what He rejects, living perfectly in all His ways, not turning away through thoughts caused by the sinful urge and lecherous eyes. For many have gone astray by such thoughts, even strong and doughty men of old faltered through them, and still do, when they went about in their willful heart."

Similarly, the correlated text of 4Q266 (4QD[a]) frg. 2 I indicates, in a different literary style, the motive for carrying out this ruthless judgment: "For במעלם when they were unfaithful עזבוהו in forsaking him, he hid his face from Israel and from his sanctuary, and delivered them up to the

[90] Marx, "Prédestination," 164–165, writes, "C'est par leur propre volonté qu'ils ont choisi la voie" (They have chosen the way by their own will).

[91] Vander Ploeg, *Excavations*, 115, asserts, "At Qumran, they were convinced that man is, in principle, free."

sword" (vv. 10–11).[92] God punishes Israel because of their active treachery and willful dissolution of an existing relationship.[93] The succeeding text of vv. 16–17, "For many have gone astray due to these [attracted by guilty inclinations and lascivious eyes (v. 16)] and brave heroes stumbled on account of them," indicates the cause of their evil comportment. However we perceive the term תעה,[94] this assertion and the succeeding recurrent expression "following the purpose of their willful heart,"[95] unquestionably denoting actions performed by their own will, not because of coercion, contradict a theory of Dual Predestination and thus its apparent acknowledgment in v. 7.

Further, from the context, one must comprehend that v. 7 refers to all of Israel;[96] but a literal interpretation would imply that all of Israel was doomed, from the beginning of the world, to total extinction, being designated as incorrigible sinners. Such an assumption seems to me preposterous. It would patently contradict the divine forgiveness of all Israel's sins on the Day of Atonement. The divine forgiveness of all sins of corporate and individual Israel on that day is the most conspicuous evidence against Dual Predestination, the irrevocable damnation of a person from birth.[97] The damnation of all Israel at the creation of the world would also

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[92] Wacholder, *New Damascus Document*, 28, perceives 4Q266 as a parallel of CD-A II.

[93] The term מעל must be translated here as "betray/unfaithful," as in Ezek 39:23–24 and Lev 26:40, the probable source of this pronouncement. The term עזב definitely implies "leave/untie/abandon."

[94] The term תעה (טעה) in Scripture denotes, in the overwhelming majority of instances, an unintentional error, losing one's way, as in the comparison with sheep that have lost their way in Isa 53:6. All the traditional Jewish commentators habitually translate it as an unintentional action. The term has a derogatory connotation in *hiphil* mode, because of its evil action in causing others to err. In our verse it is cited in *kal* mode, and hence its translation as "they erred" seems more etymologically appropriate than "they went astray," with its demeaning connotation, as translated here by Martínez, Abegg, and Vermes. However, according to the context and particularly the use of the parallel term כשל "to stumble," often used in Scripture as resulting from a wicked action or stance (as in Jer 20:11, 50:32; Hos 5:5, 14:10; and Prov 24:16, among others), and the subsequent linked explanatory argument "having walked in the stubbornness of their heart," which denotes intentional behavior, it is appropriate to interpret it here as an accusation of wicked and aberrant conduct.

[95] I find the translation "following the purpose of their willful heart" more precise than the common "stubbornness." The LXX uses the term ἐπιτηδεύματα "pursuit" [of their heart].

[96] The correlated version of our chapter in 4Q266 (4QD[a]) unquestionably corroborates this fact.

[97] Lev 16:30 states, "For on this day shall atonement be made for you, to cleanse you; from all your sins shall ye be clean before the Lord." Every Israelite is totally cleansed from his sins after the Day of Atonement.

challenge Qumran's own election, since they would then be a segment of this damned people, if a literal exegesis to this chapter were practiced. Thus, a literal interpretation of CD-A II:7—that God predestined some people for extinction from the beginning of the world—cannot be reconciled with the texts quoted above. We must therefore take a different approach to the interpretation of this and the few similar pronouncements that allegedly indicate a doctrine of Dual Predestination. As stated above, the author of this text did not consider the potential philosophical implications of his pronouncements; he would certainly have denied such an assumption, had he been specifically asked about it. The affirmation of a theory of Dual Predestination was not the subject of his proclamation. His aim was, similar to that of the author of Hodayot, to contrast their elected, meritorious group with the bulk of Israel, the wicked; in his zeal to maximize the differences between the two groups, he expressed his thoughts in an exaggerated manner, without considering the possible undesired implications and their conflict with his general theology.

We encounter similar exaggeration in another comparison between divine and human attributes. In an effort to amplify the difference between the two entities, the author writes, "To you, you, God of knowledge, belong all the works of justice and the foundation of truth; but to the sons of Adam belongs the service of iniquity and the deeds of deception" (1QH[a] X:26–27). By interpreting this literally, and attempting to deduce from it its theology, we would reach the monstrous and untenable conclusion that all humanity was created by God to be perpetually and altogether wicked; this would patently contradict the Two Spirits theory, which maintains that two spirits, of good and of deceit, are placed within each person (1QS III:18–19) in equal parts (1QS IV:25). We must conclude in this instance, as in others, that hymns in general, and those of Qumran in particular, cannot serve as a source of speculative theology. Eugene H. Merrill, in his extensive study on predestination in 1QH[a], comes in essence to the same conclusion; he perceives man's free will in1QH[a] X:35–36,[98] but he does not attempt to propose a reasonable solution of the apparent paradox, instead stating unhesitatingly that the author believed in predestination.[99] There is also an utter

[98] Merrill, *Qumran and Predestination*, 44–45, writes, "Thou has not caused me to be dismayed into forsaking Thy service." He comments, "God has prevented him from exercising his free choice of abandoning the Covenant," and "it appears from Sukenik1QH[a] IV:24 (current XII:24) that the act of uniting with the Covenant is a matter of free choice."

[99] Ibid., 23. His procedure is remarkable. On the same page of his extensive study of 1QH, he writes, first, "the author of the document believed in predestination"; then, "there

contradiction in sense between this statement and his concurrent assumption that man "can make decisions." If individuals can make decisions by their free will, there is no predestination; one of these statements is patently incorrect, if he was consciously aware of the contradiction. I believe I have postulated a more plausible solution to the dilemma of seemingly contradictory conceptions regarding free will, one which avoids such an impasse and likewise avoids attributing to Qumran scholars a theology that is in utter conflict with an unquestionably pivotal foundation of biblical theology and goes against the horizon of expectation of their audience, well versed in the Scripture that shaped their religious cognizance.[100]

7.3.8. *The Ambit of Election*

The doctrine of the divine election of the righteous, in which the Qumran group takes pride, does not categorically assert that others are irrevocably damned to be wicked from birth. All of Israel is elected, and all are entitled to be pardoned, as we read in CD-B XIX:28–29: "So is the judgment/law/principle of the converts of Israel, who turned away from the path of the people." The converts of Israel had no special privileges, were not distinctively elected; they simply decided, of their own will, to follow the knowledgeable and wise men from Aaron and Israel, who showed them the correct way.[101] These wise men, too, were not particularly elected, but used their wisdom, the faculty God has given humans to discern good from evil, as noted in the concluding verse of the "Two Spirits Discourse" (1QS IV:26): וינחילן לבני איש לדעת טוב ורע "a legacy to the sons of man so that they know good and evil."[102] CD I:8–11, in its historical narrative of the group's institution, emphasizes unequivocally the

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is no effort made to reconcile this rigid predestination with man's free will"; and, finally, "there is no particular concern about the paradox that a man's destiny is decreed and yet he can make decisions about his eternal lot."

[100] Kugler, "Hearing 4Q225," 84, writes that in the Qumran period's "oral-literate contexts, people have more than a vague acquaintance with their Scripture; they usually have them memorized, internalized, as it were. Even when echoes of Scripture are barely whispered, the full scope of a story's testimony is evoked as well as the recipient's imagination." See also p. 176, on the issue of the community's response.

[101] We read in CD-A VI:2–3, "He raised from Aaron men of knowledge, and from Israel wise men, and [they] made them listen."

[102] In 4Q504 (4QDibHam[a]) 1:5–9:14, we read that God "[br]eathed into his [Adam's and, by extension all humans'] nostrils, [and filled him] with understanding and knowledge," but being flesh, he filled the world "with [wro]ngdoing."

free will of the people, whose own comprehension of their wickedness and guilt was the foundation of their decisions: "They considered their iniquity and they knew that they were guilty men, and had been like the blind and like those groping for the way twenty years. But God considered their deeds, that they had sought Him with a whole heart. So He raised up for them a Teacher of Righteousness to guide them in the way of His heart." There is no mention of a specific election or motive for their remaining as the righteous remnant of sinful Israel; the antecedent vv. 4–5 attribute it to God's remembrance of the Covenant, because of which he "did not allow them to be totally destroyed." 11QPs[a] XIX:14–15, in which the author prays for the absolution of his sins and divine assistance to avoid misconduct in future, starts with the plea, "Bestow on me a spirit of faith and knowledge," and then follows its purpose: "Let Satan not dominate me, nor an unclean spirit; let pain and the evil inclination not possess my bones."

The identical assertion that the good use of wisdom, bestowed by God, is the foundation of a virtuous life is acknowledged in Scripture and confirmed in 4Q417 (4QInstr[c]) 1i:10–13 and in 1QH[a] XIX:27–28.[103] We read in the first of these, "*He* [*ex*]*pounded* for their un[der]standing every *d*[*ee*]*d/cr*[*eatu*]*re* So that *man* could walk in the [fashion (inclination)] of *their/his* understanding, And He will/did *expound* for *m*[*an*] And *in abundance/property/purity* of understanding *were made kn*[*own the se*]*crets* of his (?man's) plan, together with how he should walk[p]erfec[t in all] his [ac]tions. These things investigate/*seek early and* continually, And gain understanding [about a]ll their *outcomes*. And then thou shalt know about the glory of [*His*] *m*[*ight*." In the second passage, the author thanks God for having given him "the insight of knowledge to understand your wonders." There is no mention of a special election in any of

[103] The linkage of wisdom with righteousness and obedience to the divine commandments is amply documented in Scripture, in different modes of expression. We read in Isa 11:2, "The Spirit of the Lord will rest on him, the Spirit of wisdom and of understanding, the Spirit of counsel and of power, the Spirit of knowledge and of the fear of the Lord"; in Ps 119:66, "Teach me knowledge and good judgment for I believe in your commands"; in Prov 1:29, "Since they hated knowledge and did not choose to fear the Lord"; in Prov 2:2, "turning your ear to wisdom and applying your heart to understanding"; and its consequence in Prov 2:5: "then you will understand the fear of the Lord and find the knowledge of God." I dispute Davies' assertion, in "Sects from Texts," 77, that in Qumran, specifically in 1QS, "Moses is actually replaced by esoteric teaching. The god of Israel becomes the god of knowledge." As we have seen from a few of many examples of scriptural passages (cited above) from before the Qumran period, God is the source of wisdom, which He bestows on humans.

these passages.[104] All Israelites had the same opportunity to repent and turn to God,[105] but the others became בוני החץ "builders of the wall"; God hates them because of it, and the same befalls "all who reject God's precepts" (vv. 31–32).

Because they have chosen by their own will to be sinners, God has deprived them of the wisdom to perceive the truth, as we read in 1QH[a] XIII:25–26: "Because of their guilt [not because of any predestined damnation] you have concealed the source of understanding and the foundation of truth." As in other instances in which I have demonstrated the biblical sources of Qumran's ideological thoughts and writings, this conception probably has its roots in Isa 6:9–10. We read there, "He said, 'Go and tell this people: "Be ever hearing, but never understanding; be ever seeing, but never perceiving." Make the heart of this people calloused; make their ears dull and close their eyes. Otherwise they might see with their eyes, hear with their ears, understand with their hearts, and turn and be healed.'" To deprive the sinners of divinely granted wisdom is not to predestine them irreversibly for wickedness from birth; it is a measure employed only after the sinners have abandoned the righteous way of life and chosen to be wicked. This perspective may be perceived as theologically similar, if not identical, to the rabbinic maxim, "A person is guided in the way he wants to go,"[106] and could serve as an indication that Scripture, not Zoroastrian or other alien ideologies, was the source of Qumran's beliefs and doctrines. We have also observed how the Qumran scholars, like the rabbis, reconciled apparent logical contradictions in Scripture and in their writings, if they pondered them at all.

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[104] In 1QH[a] VI:18–19, we read, "in accordance with a man's insight I will advance him, and in accordance with the abundance of his inheritance I will love him," a statement that the elect have different stages or degrees of inheritance. In ch. 6, pp. 299–301, I postulate that in contrast to the good and bad inclinations, which are implanted in equal measure in every person, wisdom is a gift from God, his inheritance, and is unevenly granted. Since wisdom is a crucial factor in understanding the divine ways and rules, those who inherit it in a greater allotment reach a higher degree of devotion and piety, and have a higher rank in the community. See 1QH[a] XVIII:20 and 27, which confirm the assumption that knowledge is unevenly granted by God.

[105] All Israelites are the descendants of the Fathers, whom God loved, as we read in CD-B XIX:28.

[106] The source of this maxim is quoted on p. 315, n. 12. It reconciles the inconsistency between the two divine commands to Balaam. In Num 22:12 God says to him, "Do not go with them," and in v. 20 God says, "go with them." This homily constitutes a perfect example of the maxim of free will: since God has seen that Balaam wanted to go, by his own choice, He did not prevent him, because to do so would infringe his freedom of choice.

From the divine maxim in Exod 33:19—"I will cause all my goodness to pass in front of you, and I will proclaim my name, the Lord, in your presence. I will have mercy on whom I will have mercy, and I will have compassion on whom I will have compassion"—it does not follow that those not favoured by God's mercy will be damned for groundless, ruthless motives. This is how the traditional Jewish commentators understand this verse, and the majority of Christian theologians likewise apprehend the character of divine grace, the cognate of mercy. It is a privilege of those on whom God bestows His grace;[107] the others, lacking this privilege, are not damned, but may be righteous or wicked, dependent on their choice.[108] Only some Protestant theologians perceive the lack of grace as irrevocable damnation.

In conclusion, the unique lemma of 1QH[a] VII:13–17 above cited cannot serve as evidence for the Dual Predestination theory in Qumran, as against the multitude of lemmas, some of which I have cited, that attest the opposite; intertextual reading is nowadays recognized as a decisive method of interpretation of texts. The above-cited texts and their interpretation thus serve as evidence against a theory of Dual Predestination in Israel and in Qumran.

7.4. Broshi's Other Sources of Evidence

7.4.1. *The Habakkuk Commentary*

Broshi states that "the predestinatarian doctrine is [the] cornerstone" of the Habakkuk Commentary;[109] he does not substantiate his allegation, however, but refers to Lange's exposition.[110] In the cited article, Lange indeed deliberates on predestination, but he states explicitly that it refers to "the idea of a pre-existent order of history" and "a divine order of the world."[111] Similarly, Lange perceives "a predestined order of the world" in the Book of Mysteries, which Broshi mentions as evidence for his

[107] Vander Ploeg, *Excavations*, 116, writes, "the pious who have chosen aright receive further help from God" to avoid sinning.

[108] This is how the Catholic Church understands St. Augustine's theory of grace. In fact, the belief that humans have no free will is perceived as heresy according to Catholic doctrine.

[109] Broshi, "Predestination," 238.

[110] Lange, "Wisdom," 340–354.

[111] Ibid., 353–354.

thesis, and in many other non-Essene texts found in Qumran;[112] he does not mention individual Dual Predestination. Other non-Essene writings mentioned by Broshi similarly convey the doctrine of historical, not individual, predestination.[113] It seems to me that Broshi has failed to distinguish between individual Dual Predestination—which he presents as "the most important contribution of the Essenes/Qumran to Christian theology," stating that this doctrine "differentiates it sharply from 'Normative Judaism' "—and historical predestination, an explicit and unquestionable "cornerstone" of Scripture.[114] There is nothing new or provocative in the idea that Qumran scholars believed that God guides the history of the world, with a purpose, according to His plans; they simply followed Scripture—not the "two currents—the Apocalyptic and Sapiential," as Broshi concludes—with respect to their theology as well as in their methods of halakhic exegesis.[115] It is amazing that Broshi does not consider the distinction between universal and individual destiny, though in quoting verses from 1QpHab as evidence for the "predestinarian doctrine as the cornerstone" of Qumran's theory, he states that they "express the principal Essene idea of a preexistent order of the worlds" and that "all the course of history follows a divine design."[116] I do not dispute this assumption—it is a common "normative" Jewish belief—but this particular attestation does not allege an immutable damnation of individuals to wickedness. I have quoted in this study Qumranic tests that demonstrate the community's belief in the human capacity to change and repent, and thus to attain redemption. Broshi ponders a possible Iranian origin for Qumran's Determinism, but personally doubts it because, as he emphasizes, the relevant Iranian texts are of later origin—not because the theory is antithetical to Scripture. Other scholars do allege such a connection and influence,[117] but Merril repulses these theories, for valid reasons.[118] In

[112] Ibid., 343–346. On 4QSap A^2 4Q417 2 I 1–18, Lange writes at 343 of "a pre-existent, hidden, sapiential order of the world." On the Fifth Song of the Sabbath Sacrifice, at 348, and at 352 on CD 2:2–13, Lange refers again to a "pre-existent order of the world."

[113] Broshi, "Predestination," 240.

[114] See p. 316, n. 13, on Clines' classification of the biblical narratives in this respect.

[115] Broshi, "Predestination," 241.

[116] Ibid., 238.

[117] See Karl G. Kuhn, "Die Sektenschrift [1QS] und die iranische Religion," *ZTK* 49 (1952): 296–316.

[118] Merrill, *Qumran and Predestination*, 14, writes that Qumran understood something else than the Iranians "when they wrote about predestination. Theirs was not an iron-clad fatalism; they allowed room for voluntarism and human responsibility."

chapter 6, and especially at pp. 230–233, I have refuted the scholarly allegation of Iranian ideological influence on Qumran's doctrine of Dualism; they may have borrowed terminology, but they adjusted the essence of the borrowed terms to the original entrenched Israelite ideologies. The same principle applies to any alleged foreign influence on the concept of individual predestination. See also in chapter 6, pp. 308–309, my rebuttal of an alleged ideological influence of the Astrological Text (4Q186) on Qumran doctrines.

7.4.2. *Predestination in the Pauline Epistles*

Although the issue of predestination in the writings of Paul is not directly relevant to Qumran's theology, which antecedes Christian writings, I will comment briefly on this topic, since Broshi suggests that "the predestinatarian elements in Paul's teachings were formed under Essene influence."[119] One cannot definitely deny such a possibility, but this does not serve as evidence of predestination in Qumran writings. We have no indication that Paul was aware of the Essene writings or knew their content. Further, even if he was familiar with their writings, he might have interpreted them correctly or incorrectly. Linking Qumran's theology to Paul's on the subject of predestination creates a type of circular evidence in which one element bolsters the other and vice versa. On the basis of his understanding of Rom 8:28–30, however, Broshi declares, "If this is not an explicit formulation of the predestinatarian doctrine, the present author does not know what is."[120] He presents his interpretation of these verses as incontestable evidence for Paul's doctrine of predestination, notwithstanding passages in the work of J.A. Ziesler that indicate at least their dubiousness, for example, "certain students of the epistle try to minimize the significance of this and similar expressions"; "close reading of this passage does not necessarily lead to this interpretation."[121] This acknowledgment seems to me to contradict Broshi's previous statement and to indicate the feebleness of his thesis. One need not be an expert in

[119] Broshi, "Predestination," 242.

[120] We read there, "For those whom he foreknew he also predestined to be conformed to the image of his Son, in order that he might be the firstborn within a large family. And those whom he predestined he also called; and those whom he called he also justified; and those whom he justified he also glorified."

[121] John A. Ziesler, *Paul's Letter to the Romans* (Philadelphia: Trinity Press International, 1989), 70, claiming that this pronouncement concerns peoples, not individuals.

Christian and other theologies in order to be aware of a few generic principles, universally valid, which must guide everyone approaching early Christian writings:

(a) All texts, and particularly those which render ideologically subtle and at times mystical or cryptic pronouncements, can be interpreted in different ways; the disposition, belief, and aims of the exegete influence and shape its outcome.
(b) The development of a new theology is a protracted and interminably complex matter; many theologians, some of them illustrious, have toiled over centuries to create a coherent theology and to attempt to mend the ever-upcoming holes in an ideology previously assumed to be perfect.

Particular problems should be considered with respect to early Christian writings: the substitution of Israel's election with that of the believers in Jesus; and the downplaying of Israel's doctrine of "justification by works" (i.e., performance of the precepts of the law) by attributing this justification to divine grace and faith. These were two significant doctrines whose promotion and inculcation in the hearts and minds of the people sometimes engendered overstatements by preachers and theologians that distorted or contradicted, inadvertently and contrary to their aims, some aspects of their other dogmas. For example, to alleviate the sufferings of the believers in the text mentioned above, Paul attempts to aggrandize the privilege and glory that awaits them on being called by God (Rom 8:18), similar to the above-cited Qumran pronouncements of 1QH^{a} VII:13–24. The higher status he promises they will enjoy before God grants them pride, hope, and tenacity to endure their temporary sufferings. This was Paul's aim in overemphasizing their calling by God. Yet he did not declare, and we should not impute such a statement to him, that the others were damned—only that they did not enjoy the privilege and glory of those whom God called. In Rom 1:16 Paul declares that the gospel "is the power of God for salvation to everyone who has faith, to the Jew first and also to the Greek." He makes no distinction between elected and non-elected, called or not called; the gospel saves everyone. Likewise, we read in Eph 1:12, "when you had heard the word of truth, the gospel of your salvation, and had believed in him, [you] were marked with the seal of the promised Holy Spirit." There is no precondition of being called or elected; even those who "were by nature children of wrath" are saved by grace through faith, as written subsequently in Eph 2:3–8, and faith comes through hearing the message (Rom 10:17). Comparably, Matthew

takes an indistinctive approach to redemption for every person: "Go ye therefore and make disciples of all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Spirit and teaching them to obey everything I have commanded you" (Matt 28:19–20). The capacity of sinners to repent is explicitly stressed by Paul in Eph 5:8–11: "For once you were darkness, but now in the Lord you are light. Live as children of light for the fruit of the light is found in all that is good and right and true. Try to find out what is pleasing to the Lord. Take no part in the unfruitful works of darkness, but instead expose them."

We encounter a similar apparent contradiction in Paul's writings with respect to the relationship between works and grace. We read in Gal 2:16, "yet we know that a person is justified not by the works of the law but through faith in Jesus Christ. And we have come to believe in Christ Jesus, so that we might be justified by faith in Christ, and not by doing the works of the law, because no one will be justified by the works of the law." Interpreting this verse in the same narrow and literal method that Broshi and others have used with respect to Rom 8:28–30 would lead us to conclude that Paul is against works, or that works / good deeds are superfluous and do not matter. On the other hand, we read in Rom 2:6 about God's righteous judgment: "Who will render to every man according to his deeds." In Eph 4:17–5:7, we encounter an extensive list of works, that is, rules of concrete behavior: "to prepare God's people for works of service, so that the body of Christ to be built up." If we interpret Paul's utterance in Gal as relating exclusively to nullifying requirements under the Jewish law while endorsing the significance of good deeds, it would contradict his host of declarations affirming the relevance of works according to the Jewish law, for Jews and Gentiles alike. Referring unequivocally to the Jewish law, Paul declares in Rom 2:13, "For it is not those [the Jews] who hear the [Jewish] law who are righteous in God's sight, but it is those [the Gentiles] who obey the law [do by nature things required by the Jewish law (v. 14)] who will be declared righteous." We read further in v. 26, "If those who are not circumcised keep the law's requirements, will they not be regarded as though they were circumcised?" Thus we observe the crucial significance of deeds, and we therefore must interpret Paul's pronouncement in Gal not in a limited manner, as a depreciation of works, but as indicating that works are not adequate for justification, which also requires faith in Jesus.

The passages quoted above, like many others, demonstrate unequivocally that subtle theological deductions based on certain overstated

expressions in the New Testament and in Qumran writings are unfounded, particularly when they contradict entrenched doctrines and other texts from the same sources. Like Broshi, I find the similarity of Qumran and New Testament writings remarkable, but with respect to their rhetorical style. Both use overstatements to emphasize particular notions and ignore, consciously or inadvertently, the potential stimulation of discordant doctrines as a result. As we compare the styles of different Greek literatures of the period, we may compare the literary styles of NT and Qumran writings, which are not too far apart in time, despite the different languages used, because both were overwhelmingly written by learned Jews who emulated the scriptural style.

7.4.3. *The Augustine–Pelagius Contention*

The core of the dispute between Augustine and Pelagius centered on the doctrine of original sin, and particularly the question of the extent to which the will of fallen man is "free." Augustine maintained that humankind is a *massa peccati*, a "mess of sin," incapable of raising itself from spiritual death. While fallen man still has a free will (*liberium arbitrium*), he has lost his moral liberty and depends on grace to be able to refrain from sinning. Grace comes through faith, and faith through hearing the message, as noted above; no election is required. Pelagius could not conceive that a divine gift (grace) could be necessary to perform what God commands; in his belief, religion and morality lie in the sphere of the free spirit and are attainable by man's own efforts. With his clear voice, Thomas Aquinas maintained that God wills the salvation of all souls but that certain souls are granted special grace, which, in effect, foreordains their salvation; no one is irrevocably damned at birth to be a sinner. These different doctrines on man's free will were not perceived by their authors as opposed to Paul's theory, which demonstrates the wide range of interpretation within the frame of ancient writings.

In concluding this topic, I postulate, as in previous deliberations on Qumran texts, the absolute necessity of taking a wide perspective, considering the contrasting variants of the argument in question, before making theological deductions from New Testament texts. I may repeat here Collins' statement that "all interpretation involves a correlation of what we find in the text with what we hold as true from other sources."[122] This is how Augustine, the Catholic Church, and liberal Protestant denomina-

[122] J. Collins, "Interpretation," 42.

tions have proceeded, in variously interpreting Paul's utterances; free will, though with distinct nuances, is a significant and fundamental element of their doctrine. Christianity brought to the Hellenistic world a message of hope, a perception that man is capable of affecting his destiny—the antithesis of the Greek tragedy, in which a person is a tragic peon, entirely dependent on the frivolous and arbitrary whims of the gods. Paul's message, announcing a God who loves even the dead/sinners (Eph 2:5) and abounding with promises of a glorious future for all who have faith, could not be reconciled with a predeterministic, pessimistic view of human life.

7.5. Conclusion

I believe to have raised valid primary methodological challenges to the theory of Dual Predestination in Qumran, which requires imputing to Qumran a theology utterly in conflict with the core scriptural doctrine of unqualified repentance and redemption. It is inconceivable that a group which adhered so faithfully to the biblical text would have proceeded in such a renegade manner. I have analyzed the few sporadic Qumran pronouncements that appear to suggest a belief in individual predestination, and have arrayed against them a wide range of contradictory affirmations. I have thus argued convincingly, as I believe, that we must therefore perceive these problematic pronouncements in the broader context of Qumran writings and their intimate association with biblical directives. I believe that my proposals for understanding the authors' real aims in these verses, rationalizing the equivocal expressions and, consequently, interpreting them differently in conformity with the expected scriptural theology, will be found plausible and acceptable by the reader.

CHAPTER EIGHT

EPILOGUE

The interpretation of ancient writings, composed under historical circumstances vastly different from our own, is a challenging task. Modern scholarly viewpoints allow or promote reinterpreting classical works, adapting them to our contemporary circumstances. This is accomplished by a system which reflects various degrees of adherence to the text, the *intentio operis* (to use Umberto Eco's terms), and to the author's presumed original intent, the *intentio auctoris*, rather than understanding them in a literal fundamental mode.[1] Modern thought and the far-reaching deconstruction methods, indeed, perceive texts as open-ended in nature, utterly reader oriented, an absolute *intentio lectoris*—merely a skeleton serving as stimuli to be complemented by the reader. But these philosophers do not authorize retrojecting our contemporaneous viewpoints, the *intentio lectoris*, onto the author and alleging that it agrees with his original intent, the *intentio auctoris*. The determining circumstances of the two are utterly different.

The pragmatic rabbis alleged that the omniscient God already foresaw *ad infinitum*, at the creation of the Torah laws, the exact mode of their adaptation to changing conditions, and granted the rabbis the key to decipher these hidden contingencies in the text.[2] However, they were constrained to solve the dilemma of how to adapt perpetual and immutable

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[1] Umberto Eco, *The Limits of Interpretation* (Bloomington: Indiana University Press, 1990), 50 ff., envisages three interpretive methods: the *intentio auctoris*, an interpretation founded on the presumed intent of the author; the *intentio operis*, an interpretation founded on what the text pronounces, or what can be understood from it, as an independent element, severed from the intentions of its author and reader; and the *intentio lectoris*, what the reader understands from the text according to his own cultural background, contemporary circumstances, and his own expectation.

[2] A similar doctrinal concept is used by Maimonides, *Guide*, 345 (vol. II, ch. II:29), to explain rationally miracles within the ambit of nature, not as a sudden change of nature but as foreseen by God at the Creation: "miracles too are something that is, in a certain respect, in nature. They [the *midrashim*] say that when God created that which exists and stamped upon it the existing natures, He put into these natures that all the miracles that occurred would be produced in them at the time when they occurred."

scriptural commands to the necessities of continually changing circumstances. The rabbis were compelled to devise a philosophical theory to justify their interpretations of biblical texts, deviating from their simple meaning, and often in conflict with it, but claiming at the same time adherence both to the text and to the lawgiver's original intent. However, such attempts at bridging the gap, based on preconceived ideas, can be relevant and acknowledged only by a public with a deep religious belief. In no way can current criteria of interpretation based on modern methods of critical reading be applied to establish the original intent of the authors of ancient literature and its reception by its original readers. The problems that confront evangelical theologians attempting to justify the "out of context" interpretation of Old Testament citations in the New Testament according to our contemporary critical approach to the boundaries of exegesis are well known, and serve to substantiate our thesis.

The NT authors interpreted the OT citations based on preconceived convictions deduced from other sources, a method tolerated in that period but is unacceptable by our contemporary standards. Even they, however, did not allege that their interpretation concurred with the original understanding of the ancient audience. Mat 1:23 declares that the divine pronouncement of Isa 14:1 foretold the birth of Jesus to a virgin, but he did not contend that Isaiah's audience at the time understood it likewise; in reality, evidently, not even all the Israelites who heard or read Matthew's utterance accepted his interpretation. It is even questionable whether Matthew alleged that Isaiah, acting as God's mouthpiece, was aware of this meaning of the prophecy. From the literary structure of the text, "what the Lord had said through the prophet," one may deduce that he was solely transmitting God's plan for the future. A similar circumstance in Qumran literature supports this presumption. We read in 1QHab II:7–10, "when they hear everything that is to co[me up]on the latter generation that will be spoken by the Priest in whose [heart] God has put [the abil]ity to explain all the words of his servants the prophets, through [whom] God has foretold everything that is to come upon his people and [his] com[munity]." The author is unquestionably contending that the original prophet Habakkuk was not aware exactly to what period or what events his prophecy referred. And, similar to his extra-scriptural interpretation that the Chaldeans mentioned by Hab in 1:6 are really the Kittim, Matthew proceeded likewise in interpreting Isaiah's prophecy as referring to Jesus. Further, as the Qumran author affirms, the majority of the people did not believe in the Teacher's interpretation; the same was true of Matthew's exegesis in his period. These facts substantiate the the-

sis that the reception of extra-scriptural interpretations without unquestionable textual support depends on the audience's being convinced by other texts or events, appropriately explained; prior compatible beliefs and expectations on the part of the audience are imperative for the reception of a new theological assertion. An assertion that does not meet this requirement will be rejected.

It seems to me that this ironclad rule of considering the horizon of expectation of the contemporaneous audience of ancient literature when attempting to reveal how they understood it has been overlooked by some scholars. They have instead attempted to attribute to the authors and audience of some ancient writings ideas and doctrines that are incompatible with the latter's state of mind.

I am well aware that it is extremely difficult to liberate ourselves from what is probably our inborn tendency to believe that our thoughts and deeds conform with the correct and rational course and to wonder why others think and behave differently. Scholars are supposed to master this natural inclination, and each succeeds individually in subduing it, to varying degrees. However, in addition to this general human characteristic, we are all encumbered by our particular experiences of our personal lives and their circumstances, and we acquire specific types of education and culture in addition to our universal perspective. Extreme attention must therefore be paid to detaching ourselves from our contemporary ways of thought in our effort to discover the ideology of ancient authors, its influence on their readers, by reading their texts. The current dynamism of human thought—questioning yesterday's conventional theories, once perceived as incontestable; blurring what was perceived as defined; reversing the concepts of moral and immoral acts—and the incessant urge for an all-embracing and coherent worldview is not a valid approach to the investigation of ancient writings. Achieving detachment from our current modes of thought is particularly demanding, but at the same time imperative, when the cultural background of the scholar differs from that of the ancient author and his audience. Although scholars have demonstrated a remarkable ability to delve into ancient Israelite writings of the last period of the Israelite Second Commonwealth, I am not convinced that they have fully succeeded in detaching themselves adequately from their own cultural background in their efforts to discover the philosophy/theology behind the writings of Qumran and the apocryphal book of Enoch.

Erasmus, the promoter of humanistic interpretation, criticized the patristic interpretative method that attempted to "accommodat[e] a

double inheritance to bring into one and the same household" the not always compatible Jewish and Hellenistic relations.[3] I have the impression that we sometimes encounter similar circumstances with respect to attempts at reconciling certain Jewish writings of the inter-testamental period with later-developed Christian doctrines. In fact, Gadamer argues that people have a historically effected consciousness and that they are embedded in the particular history and culture that shaped them. Thus, interpreting a text involves a fusion of horizons whereby the scholar finds ways in which the text's history expresses ideas that conform to his own background. Gadamer does not criticize this phenomenon but considers it a reality.[4]

I have investigated first the general issue of interpretation, the elementary method of understanding any writing. It is the current *opinio communis* that the interpretative method of rabbinic literature is the necessary key for a better understanding of Qumran literature. Though there is a span of time between the dates of these corpora, they have some significant affinities. Their doctrines and writings refer to the same primary subject—the Mosaic Torah—and are conveyed in the same language. With due attention to their substantial differences, their comparison can assist us in understanding their distinct philosophy, the primary source of the decisions appearing in their writings. However, an education founded on the extended and more accessible rabbinic literature, while granting scholars an effective foundation for the understanding of Qumran writings, brings with it the danger of their being influenced by rabbinic interpretative methods in their examination of Qumran literature. I have attempted here to emphasize the distinction between the two in order to reach their distinctive underlying philosophies.

The conclusion of this study, which demonstrates Qumran's interpretative approach, founded on a strict adherence to the literal sense of Scripture, served as the key to examining their assumed attitude towards the issues of dualism and predestination. It offered me the conviction and the intellectual method to dispute some scholars' allegations that dualism and predestination were part and parcel of Qumran doctrines. I hope to have demonstrated effectively that these doctrines, so opposed

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[3] Eden, *Hermeneutics*, 3, records in her text quotations from Erasmus' *Opus Epistolarum*.

[4] Hans-Georg Gadamer, *Truth and Method*, 2nd ed. (trans. Joel Weinsheimer; London: Sheed & Ward, 1989), xxviii: "My real concern was and is philosophic: not what we do or what we ought to do, but what happens to us over and above our wanting and doing."

to essential and ingrained Jewish faith, could not have been accepted by the pious Israelite community of that period. They would definitely have been rejected by Qumran, a group that adhered strictly to the literal sense of Scripture, whose incompatibility with these doctrines is ample and unquestionably evident. I have offered different interpretations of the verses that could be understood as proclaiming such doctrines, and have emphasized the texts that demonstrate the opposite, that is, the traditional Jewish doctrines.

I have disputed by means of various arguments, similar in character but different in their details, the allegations regarding the Book of Enoch. The study addresses two distinct issues. The first is the assumption that the Watchers' narrative, the primary and essential element of the book, conveys hidden (in my opinion, modern philosophical) doctrines, such as the source of evil, the problem of theodicy, and deviation from the cosmic order (i.e., crossing the boundary between the heavenly and earthly domains) as the core of the Watcher's misdoing. Two scholars perceive its message as a concealed criticism of priests, one for illegitimate intermarriages and the other for severe theological divergences among the priests, founded on disputes about the primeval source and character of evil. The second issue relates to the allegation that the Book of Enoch was the source of a doctrine that rejected the Mosaic Torah and founded a group of different characters that replaced it with an Enochian doctrine.

With respect to the first issue, I have contended that the scholars promoting this interpretation have not indicated any motive that could have induced the authors or its final editor to conceal the purpose of the opus or the character of its criticism. A comparison with writings from Qumran, a dissident group from the same period, demonstrates an opposite attitude: they do not hide their criticism or the character of the relevant accusations. Moreover, the literary content and structure of the book divulges its hortatory purpose: instilling hope in the suffering righteous with a promise of imminent redemption and reward, and threatening the wicked by displaying the calamitous fate of the sinners. Further, the philosophical doctrines allegedly conveyed were not issues of concern to the contemporaneous Israelites, and their assumed message does not fit the general structure of the book. An explicit assertion in the book that man is the source of evil conflicts with the scholarly presumption that the Watchers' narrative is a hidden affirmation of them as the source of evil; the explicit utterance overrules the speculative presumption.

The emergence of a noticeable trend and of a social group of significant size that rejected the Mosaic Torah, replacing it with Enoch's revelation—an event of crucial significance—could not have occurred without any hostile reaction from a society dominated by loyalty to the traditional Scripture. Furthermore, no such group is mentioned in any Israelite or alien historical or other source, in contrast to the well-documented existence of Qumran. I have demonstrated, through quotations from relevant writings, that the absence of an explicit mention of the Mosaic Torah in Enoch—the famous *ex silentio* argument—does not serve as contrary evidence, particularly when a rational motive justifies its explicit concealment, as is indicated in this case. Further, this study rejects the allegation that the Enochians lived according to the Natural Law, which does not include any ritual precepts; such precepts were definitely not abrogated by this imaginary group. It is remarkable that Paulus, preaching against the requirement of circumcision to be deemed a son of Abraham, does not quote Enoch in support of his doctrine. In contrast, Tertullian mentions specifically in his *Epistle against the Jews* that Enoch attained a sufficiently high degree of righteousness to be taken up into heaven without performing all the biblical precepts and transgressions, and particularly the ritual commands of circumcision and Sabbath; he deduces from this that fulfillment of the Mosaic laws is not a requirement for righteousness. The fact that neither the Book of Enoch nor its contents is mentioned in the New Testament would be inexplicable if indeed there was a contemporaneous movement in Israelite society contending that Moses' laws were redundant.

I hope to have succeeded in piercing a small fissure in the strong wall of the conventional theories and instilling some doubts with respect to the issues elaborated above.

Finally, I wish to revert to the influence of cultural background on scholarly considerations. I cannot escape the reflection that some scholarly assertions about the topics discussed in this study were at least partly influenced by the individual cultural backgrounds of their writers. Three different types of cultural background can be identified in the six topics discussed.

First, the influence of the rabbinic method of interpretation can be traced in some scholarly views on Qumran's interpretative system.

Second, current scholarship is characterized by a general contemporary critical investigative method that attempts to reveal a coherent and consistent philosophical system in a literary composition and by a mind laden with modern concepts. This, as it seems to me, has increased the

tendency to ascribe modern concepts to the ancient authors of *1 Enoch*, and incongruous doctrines to the Qumran literature, on the basis of scant locutions hinted at dualism and predestination as essential ideologies of this group.

Finally, the effect of a particular cultural background, in its broadest sense, in the case of some scholars seems discernible in the allegations that extraneous dualistic and deterministic doctrines were adopted by Qumran and that an "Enochian" group or movement rejected the Mosaic Torah. The attempt to reveal, in significant groups of Jewish society, ideological currents deviating from the deep-rooted faith in crucial doctrinal matters leads to the presumption that a common denominator influenced scholarly assertions about the three phenomena I have discussed: dualism, predestination, and Enoch as alternative to Torah. I may use here the popular maxim: "If it looks like a duck, walks like a duck, and quacks like a duck, it is a duck." If it were not for the "duck" of their Christian background, it would be difficult to comprehend how these scholars arrived at the conclusion that the Torah-centered Qumran community, which adhered to a literal interpretation of Scripture, conceived doctrines opposed to the Torah. The insinuation that a group of Jews rejected the venerated Torah, believed to be given directly by God to Israel at Sinai, and replaced it with a new text of unknown original, casts doubts on the objectivity of their research.

I admit that my approach to the investigation of these writings could be accused of an equivalent bias as a result of my different cultural background. I am not immune; however, I do believe that I have walked on safer ground: I have raised better arguments than those cited by contending scholars, and my approach, founded on Jewish viewpoints and cultural background, is more appropriate to the interpretation of Jewish writings. My horizon is more proximate to those of the ancient Jewish authors than those of scholars with a dissimilar cultural background.

I conclude with the words of Kathy Eden on Gadamer's theory: "the understanding of others belongs somehow to one's own understanding, not only of the past but of oneself."[5]

[5] Eden, *Hermeneutics*, 5.

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